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JOURNAL

OF THE

ASSEMBLY

OF THE

STATE OF NEW YORK:

AT THEIR

ONE HUNDRED AND FIRST SESSION.

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY, ON THE FIRST DAY
OF JANUARY, 1878.



JEROME B. PARMENTER, STATE PRINTER.

1878.

JOURNAL OF THE ASSEMBLY.

STATE OF NEW YORK:

ASSEMBLY CHAMBER, IN THE CITY OF ALBANY.

TUESDAY, JANUARY 1, 1878.

Pursuant to section six of article ten of the Constitution of this State, the gentlemen whose names are given in the following list, appeared in the Assembly Chamber. The said list contains the names of the representatives elected to the Assembly in the several districts for the current year, as certified by the Secretary of State, viz.:

County.	District.	Name.
Albany	1	Hiram Griggs.
	2	John N. Foster.
	3	James T. Story.
	4	Edward Curran.
Allegany		Hiram H. Wakely.
Broome		Alexander E. Andrews.
Cattaraugus	1	Thomas J. King.
	2	Simeon V. Pool.
Cayuga	1	Howell B. Converse.
	2	William Leslie Noyes.
Chautauqua	1	Sherman Williams.
	2	Temple A. Parker.
Chemung		George M. Beard.
Chenango		B. Gage Berry.
Clinton		William P. Mooers
Columbia	1	Jacob H. Proper.
	2	Samuel Wilbor.
Cortland		Orris U. Kellogg.
Delaware	1	Albert H. Sewell.
	2	Robert P. Cormack.
Dutchess	1	Obed Wheeler.
	2	Peter Hulme.
Erie	1	John L. Crowley.
	2	John G. Langner.
	3	David F. Day.
	4	Harvey J. Hurd.
	5	Henry F. Allen.
Essex		Benjamin D. Clapp.
Franklin		John I. Gilbert.

County.	District.	Name.
Fulton and Hamilton.....		John W. Peek.
Genesee.....		Eli Taylor.
Greene.....		Cicero C. Peck.
Herkimer.....		Titus Sheard.
Jefferson.....	1	Charles R. Skinner.
	2	William M. Thomson.
Kings	1	John M. Clancy.
	2	John B. Myenborg.
	3	John Shanley.
	4	Charles J. Henry.
	5	William H. Waring.
	6	Jacob Worth.
	7	Maurice B. Flynn.
	8	John H. Douglass.
	9	John H. Bergen.
Lewis.....		Cyrus L. Sheldon.
Livingston		James W. Wadsworth.
Madison.....	1	Lambert B. Kern.
	2	Willard A. Crandall.
Monroe	1	Albert C. Hobbie.
	2	Elias Mapes.
	3	James Chappell.
Montgomery.....		Edward Wemple.
New York.....	1	John F. Berrigan.
	2	Thomas F. Grady.
	3	James Hayes.
	4	John Galvin.
	5	Peter A. Crawford.
	6	Jacob Seebacher.
	7	Isaac I. Hayes.
	8	Daniel Patterson.
	9	John W. Browning.
	10	Joseph P. Strack.
	11	William W. Astor.
	12	Maurice F. Holahan.
	13	John Clark.
	14	James Daly.
	15	Christopher Bathe.
	16	James Fitzgerald.
	17	James T. Taylor.
	18	Joseph P. McDonough.
	19	David L. Baker.
	20	Marks L. Frank.
	21	Alexander Thain.
Niagara.....	1	Joseph D. Loveland.
	2	Sherburne B. Piper.
Oneida	1	William Jones.
	2	A. DeVerney Townsley.
	3	Cyrus D. Prescott.
	4	Robert H. Roberts.
Onondaga	1	Thomas G. Alvord.
	2	Samuel Willis.
	3	Josiah G. Holbrook.

County.	District.	Name.
Ontario	1	David Cosad, Jr.
	2	Amasa T. Winch.
Orange.....	1	James G. Graham.
	2	James W. Hoyt.
Orleans		Charles H. Mattison.
Oswego.....	1	Charles North.
	2	George M. Case.
	3	De Witt C. Peck.
Otsego.....	1	Azro Chase.
	2	Daniel F. Pattengill.
Putnam		Hamilton Fish, Jr.
Queens.....	1	Elbert Floyd-Jones.
	2	John Keegan.
Rensselaer	1	John H. Burns.
	2	Solomon V. R. Miller.
	3	William H. Sliter.
Richmond.....		Erastus Brooks.
Rockland.....		James H. Nelson.
St. Lawrence.....	1	George F. Rowland.
	2	A. Barton Hepburn.
	3	Rufus S. Palmer.
Saratoga	1	George W. Neilson.
	2	Daniel H. Deyoe.
Schenectady		Arthur D. Mead.
Schoharie		Charles Bouck.
Schuyler		Abram V. Mekeel.
Seneca.....		Diedrich Willers, Jr.
Steuben.....	1	Azariah C. Brundage.
	2	George R. Sutherland.
Suffolk.....		Charles S. Havens.
Sullivan.....		Thornton A. Niven.
Tioga.....		J. Theodore Sawyer.
Tompkins		Samuel D. Halliday.
Ulster.....	1	Seaman G. Searing.
	2	Nathan Keator.
	3	Isaac Hamilton.
Warren		Alson B. Abbott.
Washington.....	1	Abram Reynolds.
	2	George L. Terry.
Wayne.....	1	Jackson Valentine.
	2	James H. Miller.
Westchester.....	1	Ambrose H. Purdy.
	2	William F. Moller.
	3	James W. Husted.
Wyoming.....		John E. Lowing.
Yates.....		Joel M. Clark.

The members elect were called to order at 11 o'clock A. M., by Edward M. Johnson, Clerk of the last Assembly.

The proceedings were opened with prayer by Rev. Dr. Magee.

The Hon. Allen C. Beach, Secretary of State, administered to the members present the oath of office, prescribed by section one of article twelve of the Constitution of this State, and said oath was thereupon subscribed by the members.

Mr. I. I. Hayes offered for the consideration of the House a resolution, in the words following:

Resolved, That this House do now proceed to the election of Speaker; that the roll of members be called by the Clerk, and that each member, as his name is called, rise in his place and openly name his choice for such office, and after the election of Speaker shall have been determined, we proceed to the election of Clerk and Sergeant-at-Arms, in the same manner.

The Clerk put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The House then proceeded to the election of Speaker.

The Clerk called the roll, whereupon each member as his name was called, rose in his place, and nominated as follows:

FOR JAMES W. HUSTED.

Abbott	Graham	J. H. Miller	Sheldon
Alvord	Griggs	S. V. R. Miller	Skinner
Andrews	I. I. Hayes	Mooers	Sutherland
Astor	Hepburn	North	Story
Berry	Hobbie	Noyes	E. Taylor
Brundage	Holbrook	Palmer	Terry
Case	Hoyt	Parker	Valentine
Chappell	Hulme	D. C. Peck	Wadsworth
Chase	Hurd	Peek	Wakely
Clapp	Jones	Pool	Waring
J. M. Clark	Keator	Prescott	Wheeler
Crandall	Kern	Reynolds	Wilbor
Deyoe	King	Rowland	Williams
Fish	Lowing	Sawyer	Willis
Foster	Mattison	Sewell	Winch
Gilbert	Mekeel	Sheard	Worth

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FOR ERASTUS BROOKS.

Allen	Curran	Keegan	Piper
Baker	Day	Kellogg	Proper
Bath	Douglass	Langner	Purdy
Bergen	Fitzgerald	Loveland	Roberts
Berrigan	Floyd-Jones	McDonough	Searing
Bouck	Flynn	Mead	Seebacher
Browning	Frank	Moller	Shanley
Clancy	Galvin	Myenborg	Sliter
J. Clark	Grady	Neilson	Thain
Converse	Halliday	Nelson	Thomson
Cormack	Hamilton	Niven	Townsley
Cosad	Havens	Pattengill	Wemple
Crawford	Henry	Patterson	Willers
Crowley	Holahan	C. C. Peck	

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FOR GEORGE M. BEARD.

Mapes

1

FOR JAMES DALY.

J. Hayes

Strack

2

FOR ELIAS MAPES.

Beard		1
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FOR SHERBURNE B. PIPER.

Brooks	J. T. Taylor.	2
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FOR SAMUEL D. HALLIDAY.

Daly		1
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James W. Husted having received a majority of all the votes given, the Clerk declared he was duly elected Speaker of the Assembly.

The Clerk appointed Messrs. Alvord and Brooks to conduct the Speaker elect to the chair. On taking the chair he addressed the House as follows:

Gentlemen of the Assembly: For the confidence expressed by the vote just announced I sincerely thank you. To possess this confidence of my associates is the highest of honors. To prove worthy of it is a constant inspiration to the faithful performance of duty. It will be my earnest aim to administer the responsibilities of your presiding officer in such a manner as to show that your trust has not been misplaced. In this purpose I shall confidently rely upon your cordial and undivided support. It is your province to legislate; it is the province of the chair to direct the course of your legislation in the channel of wholesome influences, and by orderly methods in conformity with your rules and with parliamentary practice. In the legitimate exercise of this authority, guided by your counsel, it will be my pleasure, as it will be my duty, to advance your views and aid you in promoting only such just and salutary measures as in their object deserves consideration, and in their perfected form will merit the commendation of the great constituency we represent.

If the evenly balanced division of your body shall incite to more than ordinary vigilance and attention, it should make you none the less courteous and considerate. However the people differ in party names, they are equally concerned in good legislation and good government. As their representatives it is for you to share their spirit and embody their purpose. The centennial era of the republic has awakened patriotic memories and stimulated patriotic feelings. To-day we stand at the threshold of the second century of our State, and the associations may well inspire a similar sentiment of honorable State pride and ambition. The past, with its arduous struggles, its varying days of gloom and glory, its constitutional progress, its brilliant record of political, social and scientific achievement, is stamped upon the historic page. The future has its untried possibilities. The present is ours, and its immediate responsibilities we can neither overlook nor evade. We meet to-day as the representatives of nearly five millions of people, charged with the momentous interests of a commonwealth which is an empire in itself, and we are solemnly bound to protect and promote them. Prominent among these interests which demand your attention, is the enforcement of a rigid retrenchment in the cities and towns of the State, in order that the heavy load of taxation may be reduced. Our metropolis is weighed down with the enormous annual expenditure of thirty millions. Its budget of official salaries alone swells up to ten millions. These inordinate figures tell how grievously the people are burdened. The chief evil in our State affairs is oppressive local taxation. It will be your commanding duty to relieve it. Another subject requiring your earnest consideration and action is the wide-spread official misconduct in corporate bodies, and the

urgent importance of effective measures to secure a strict accountability. The public has been shocked by the frequent disclosures of such wrongs. Thousands have thus been defrauded of their hard earnings and of the provision they had made for their families. No duty is more vital than that of establishing adequate safeguards against this prostitution of sacred trusts. Other objects of State concern, which need not be indicated, will press upon you. Nor are your voice and influence limited to State matters alone. You cannot be insensible of the great questions which so deeply affect the welfare of our common country. As the foremost commercial State of the Union, New York is especially interested in honest money, and in the inviolable preservation of the public faith; and it must firmly resist any insidious measure which would injure the public credit, make dishonesty the rule of dealing, and plunge us anew and still deeper into the evils of a depreciated and uncertain currency from which we have been so steadily emerging.

Gentlemen of the House, I welcome you to your honorable duties. Each one of you bears the commission of an immediate constituency which has given you its confidence, but in a higher sense each also represents the State. To legislate for a commonwealth so great as ours, with its vast and varied interests, is an object worthy of your best ambition; to meet its requirements wisely and well demands your best efforts. Faithfully discharging the obligations which rest upon you, when you finish your labors and leave this hall, you will carry the reward of an approving conscience and the grateful recognition of the people.

The House in like manner then proceeded to the election of Clerk of the Assembly, with the following result:

FOR EDWARD M. JOHNSON.

Abbott	Griggs	S. V. R. Miller	Skinner
Alvord	I. I. Hayes	Moors	Speaker
Andrews	Hepburn	North	Sutherland
Astor	Hobbie	Noyes	Story
Berry	Holbrook	Palmer	E. Taylor
Brundage	Hoyt	Parker	Terry
Case	Hulme	D. C. Peck	Valentine
Chappell	Hurd	Peek	Wadsworth
Chase	Jones	Pool	Wakely
Clapp	Keator	Prescott	Waring
J. M. Clark	Kern	Reynolds	Wheeler
Crandall	King	Rowland	Wilbor
Deyoe	Lowing	Sawyer	Williams
Fish	Mattison	Sewell	Willis
Foster	Mekeel	Sheard	Winch
Gilbert	J. H. Miller	Sheldon	Worth
Graham			

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FOR HIRAM CALKINS.

Allen	Crowley	Keegan	Piper
Baker	Curran	Kellogg	Proper
Bath	Day	Langner	Purdy
Bergen	Douglass	Loveland	Roberts
Berrigan	Fitzgerald	McDonough	Searing
Bouck	Floyd-Jones	Mead	Seebacher
Brooks	Flynn	Moller	Shanley

Browning	Frank	Myenborg	Sliter
Burns	Galvin	Neilson	J. T. Taylor
Clancy	Grady	Nelson	Thain
J. Clark	Halliday	Niven	Thomson
Converse	Hamilton	Pattengill	Townsley
Cormack	Havens	Patterson	Wemple
Cosad	Henry	C. C. Peck	Willers
Crawford	Holahan		

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FOR WILLIAM S. JANES.

Beard	Mapes		2
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FOR JOSEPH SHANNON.

Daly	J. Hayes	Strack	3
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Edward M. Johnson having been named by a majority of all the members present, was declared duly elected Clerk of the Assembly.

The oath of office was then administered to Edward M. Johnson by the Speaker of the House.

The House then proceeded to the election of Sergeant-at-Arms, with the following result:

FOR CHARLES A. ORR.

Abbott	Griggs	Mooers	Speaker
Alvord	I. I. Hayes	North	Sutherland
Andrews	Hepburn	Noyes	Story
Astor	Hobbie	Palmer	E. Taylor
Berry	Holbrook	Parker	J. T. Taylor
Brundage	Hoyt	D. C. Peck	Terry
Case	Hulme	Peek	Valentine
Chappell	Hurd	Pool	Wadsworth
Chase	Jones	Prescott	Wakely
Clapp	Keator	Reynolds	Waring
J. M. Clark	Kern	Rowland	Wheeler
Crandall	King	Sawyer	Wilbor
Deyoe	Lowing	Sewell	Williams
Fish	Mattison	Sheard	Willis
Foster	Mekeel	Sheldon	Winch
Gilbert	J. H. Miller	Skinner	Worth
Graham	S. V. R. Miller		

66

FOR JAMES H. CONNELL.

Allen	Crawford	Havens	C. C. Peck
Baker	Crowley	Henry	Piper
Bath	Curran	Holahan	Proper
Bergen	Daly	Keegan	Purdy
Berrigan	Day	Kellogg	Roberts
Bouck	Douglass	Langner	Searing
Brooks	Fitzgerald	Loveland	Seebacher
Browning	Floyd-Jones	McDonough	Shanley
Burns	Flynn	Mead	Sliter
Clancy	Frank	Myenborg	Thain

J. Clark	Galvin	Neilson	Townsley	
Converse	Grady	Niven	Wemple	
Cormack	Halliday	Pattengill	Willers	
Cosad	Hamilton	Patterson		55

FOR GEORGE W. COOPER.

Beard	Mapes			2
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FOR LEWIS SLAM.

J. Hayes	Strack	Thomson		3
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Charles A. Orr having been named by a majority of all the members present, was declared duly elected Sergeant-at-Arms.

The oath of office was then administered to Charles A. Orr.

Mr. S. V. R. Miller offered for the consideration of the House a resolution, in the words following:

Resolved, That Henry Wheeler be and he is hereby elected door-keeper of the Assembly of 1878.

Mr. Floyd-Jones moved to amend by substituting the name of John N. Rankin for that of Henry Wheeler.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

Resolved, That Sanford Reynolds be and he is hereby elected first assistant door-keeper of the Assembly of 1878.

Mr. Floyd-Jones moved to amend by substituting the name of Michael Kerr for that of Sanford Reynolds.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Graham offered for the consideration of the House a resolution, in the words following:

Resolved, That Michael Maher be and he is hereby elected second assistant door-keeper of the Assembly of 1878.

Mr. Floyd-Jones moved to amend by substituting the name of Alanson Couster, Jr., for that of Michael Maher.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hepburn offered for the consideration of the House a resolution, in the words following:

Resolved, That Worden E. Payne be and is hereby elected stenographer of the Assembly of 1878.

Mr. Floyd-Jones moved to amend by substituting the name of Michael A. Myer for that of Worden E. Payne.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The oath of office was then administered to Sanford Reynolds, Henry Wheeler, Michael Maher and Worden E. Payne.

Mr. Alvord offered for the consideration of the House a resolution, in the words following :

Resolved, That a committee of two be appointed by the Speaker to wait upon His Excellency the Governor, and inform him the Assembly is organized and ready to proceed to business.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Alvord and Brooks.

Mr. Holahan offered for the consideration of the House a resolution, in the words following :

Resolved, That a committee of two be appointed by the Speaker, to inform the Senate that the Assembly is organized and ready to proceed to business.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Worth and Holahan.

Mr. Fish offered for the consideration of the House a resolution, in the words following :

Resolved, That a committee of two be appointed by the Speaker, to examine the ballots to be used in drawing seats, and compare them with the list of members.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Fish and Nelson.

Mr. Graham offered for the consideration of the House a resolution, in the words following :

Resolved, That the rules of the last Assembly be and they are hereby adopted for the government of this body until otherwise ordered, and that said rules be referred to the committee on rules, when appointed, to make such revision thereof as they shall deem proper, with power in said committee to report at any time.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Clapp offered for the consideration of the House a resolution, in the words following :

Resolved, That when this House adjourns, it do so to meet at half-past three o'clock, and that when convened, the members proceed to draw for seats in the usual manner ; that previous to such drawing, the chamber be cleared of all persons except members and officers, and that members retire to the cloak room, and remain there until their names are drawn and called, under the direction of the Clerk of the Assembly.

Mr. Alvord moved to amend by striking out the words "half-past three," and inserting the word "four."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Messrs. Alvord and Brooks, the committee appointed to wait upon His Excellency the Governor, then appeared, and reported that they had discharged that duty, and that His Excellency the Governor, would communicate with this body in writing.

Messrs. Robertson and Raines, appeared as a committee on the part of

the Senate, and announced that the Senate was organized and ready to proceed to business.

Messrs. Worth and Holahan, the committee appointed to wait upon the Senate, appeared, and reported that they had discharged that duty.

Mr. Alvord offered for the consideration of the House a resolution, in the words following :

Whereas, The last Legislature failed to complete the apportionment of the Senators and Members of Assembly, be it

Resolved, That a committee of eleven be appointed by the chair, to consider the subject of such apportionment, and to report at any time.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Nelson offered for the consideration of the House a resolution, in the words following :

Resolved, That in conformity to precedent, and in recognition of long and distinguished services and eminent parliamentary ability and experience in the Assembly of this State, that seat number sixty-six be granted during this session of the Legislature, to the Hon. Thomas G. Alvord of Onondaga, being the seat occupied by him at previous sessions.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Messrs. Edick and St. John, a committee on the part of the Senate, appeared in the House, and stated that that body had elected Hon. William H. Robertson President *pro tem* of the Senate.

Mr. Fish presented the petition of Fordham Morris claiming his seat as member from the first Assembly district of Westchester county, in place of Ambrose Purdy; which was read and referred to the committee on privileges and elections, when appointed.

Mr. Alvord presented the petition of Daniel Bradley claiming his seat as member from the first Assembly district of Kings county, in place of John Clancy; which was read and referred to the committee on privileges and elections, when appointed.

Mr. Fish presented the petition of Charles H. Duell claiming his seat as member from the thirteenth Assembly district of New York city and county, in place of John Clark; which was read and referred to the committee on privileges and elections, when appointed.

Mr. Strack presented the petition of Thomas Foley claiming the seat occupied by Hon. John F. Berrigan, Member of Assembly from the first district of the city and county of New York; which was read and referred to the committee on privileges and elections, when appointed.

The private secretary of his Excellency the Governor appeared and presented to the House a message in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
January 1, 1878.

To the Legislature :

The Constitution requires the Governor to "communicate by message to the Legislature at every session the condition of the State, and recommend such matters to them as he shall judge expedient." In the discharge of this duty I invite your attention in the first place to a general statement of the finances. The details from which it is made up, and the condition of all the separate funds, are fully exhibited in the Comptroller's report, to which you are respectfully referred.

Aggregate balance in the treasury of all the funds October 1, 1876.....	\$8,923,053 78
Aggregate receipts during the fiscal year ending Sep- tember 30, 1877.....	23,055,816 69
	<hr/>
	\$31,978,870 47
Deduct payments during the year	26,219,436 25
	<hr/>
Balance in the treasury September 30, 1877.....	\$5,759,434 22
	<hr/>
The amount of receipts into the treasury on account of the general fund revenue, during the year ending September 30, 1877.....	\$5,603,432 85
The payments, including \$805,647.31, transferred to the Bounty Debt Sinking Fund.....	5,935,808 01
	<hr/>
Deficiency of the revenue September 30, 1877...	\$332,375 16
	<hr/>
Balances due from county treasurers September 30, 1877, on account of tax of 1876	\$855,879 81
Add amount paid on account of 1877 appropriations, included in the tax levy of last year, payable into the State treasury in April and May, 1878.....	770,598 22
	<hr/>
	\$1,626,478 03
Deduct deficiency of the revenue Sep- tember 30, 1877, as appears in fore- going statement.....	\$332,375 16
Also, balances of 1876 appropriations, unpaid and in force Sept. 30, 1877....	189,637 66
	<hr/>
	522,012 82
	<hr/>
Actual surplus September 30, 1877.....	\$1,104,465 21

DEBT.

On the 30th September, 1876, the total funded debt was \$23,315,898.58, classified as follows:

General Fund	\$3,092,238 58
Contingent.....	5,000 00
Canal	10,081,660 00
Bounty	10,137,000 00
	<hr/>
	\$23,315,898 58

On the 30th September, 1877, the total funded debt was \$10,957,054.87, classified as follows:

General Fund	\$926,694 87
Canal	9,900,360 00
Bounty.....	130,000 00
	<hr/>
	\$10,957,054 87

Actual reduction of the debt during the year by can- cellation	\$12,358,843 71
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Aggregate amount of debt.....	\$10,957,054 87
Deduct money and securities in the sinking funds including \$31,611.39, surplus in Bounty Debt Sink- ing Fund	2,281,002 41
Total amount of debt after applying sinking funds.....	<u>\$8,707,663 85</u>

The balances in the sinking funds on the 30th September, 1877, including money and securities, were as follows:

General Fund	\$849,047 31
Canal	1,270,343 71
Bounty	161,611 39
	<u>\$2,281,002 41</u>

TAXATION.

The tax levy for 1877 was at the rate of three and one-sixth mills. The Comptroller estimates that for the next fiscal year a levy of two and three-fourths mills will be sufficient. This is the lowest annual rate of the last sixteen years, and shows the rapid progress which has recently been made toward a sound and healthy condition of the State finances. It is in itself an earnest appeal to the Legislature for continued economy in public expenditures, and for great caution in making appropriations. If the local authorities will pursue a similar course, the people of the State will soon be relieved to a great extent from the burden which has so long oppressed them.

Many well-grounded complaints have been made of irregular and unreasonable assessments and unequal distribution of the taxes. The wisdom of man never has been and probably never will be able to devise a system wholly free from such defects. It is, nevertheless, the duty of the Legislature to remedy them so far as practicable; but, after all is done that can be done, the truth will remain that the only relief from heavy taxation will be found in the cutting off of all unnecessary expense. No stronger incentives to this course should be required than are now found in the depression of business and the difficulty of making payments.

In this connection I note also the great wrongs which exist in the local affairs of towns and villages. There are too many small offices in the towns, the incumbents of which can only be paid by illegal or exorbitant fees, and petty exactions. Needless criminal complaints and legal proceedings are instituted that constables, justices and jailors may receive the fees of such prosecutions. Services performed and not performed, are charged at double rates, and often several times. Faithful town auditors might cut down these bills, but often shrink from their full duty, and so by the collusion, or neglect of those who should prevent it, the people are plundered to a degree even beyond that detected in the larger cities. Town and county taxes might be much lessened if this evil could be reached, and to this end I suggest that you seek to cut off superfluous offices, reduce these extravagant fees, charge the expense of local criminal proceedings upon the county and provide for their taxation by the county judge or some other competent officer. By these or kindred measures I believe an immense aggregate saving might be effected in money as well as morals.

PAYMENT OF THE BOUNTY DEBT.

One of the most gratifying events of the year has been the final extinguishment of the Bounty Debt, which became due on the seventh of April last. The balance of the debt remaining due on that day, after deducting the amount paid in advance and all the exchanges which had been made of securities in the sinking fund, amounted to \$2,040,000, the whole of which was duly deposited in the Manhattan Bank, the place of payment designated in the bonds, and notice was published that interest upon the debt would cease from that date. Previous to the close of the fiscal year on the thirtieth day of September last, the whole debt, principal and interest, had been paid, with the exception of \$130,000, which had not been presented. It is probable that a considerable portion of this sum may never be called for. The amount, however, remains on deposit to meet it. The debt has been a heavy burden upon the tax-payers of the State, the whole amount paid by them during the twelve years which it had to run being \$43,270,337.47. Its complete and final payment is a matter for congratulation.

PAYMENT OF THE GENERAL FUND DEBT.

From the moneys and securities in the sinking fund of the General Fund debt, the sum of \$2,165,543.71 has been paid, and the General Fund debt to that extent extinguished. There remains to be paid the sum of \$800,000, which does not become due until the first day of July next, when it will be paid, and the General Fund debt, which has so long been in existence, will also be fully extinguished, except a small amount invested for the payment of Indian annuities.

CANAL DEBT.

On the thirtieth of September last the canal debt, less the balances in the sinking fund, amounted to \$8,630,016.29. Of this sum \$880,000 became due on the first day of December last, and was paid from the Canal Debt-Sinking Funds, leaving the total amount of the debt, at this date, \$7,750,016.29. But for the unfortunate maladministration of the canals, and the wasting of their revenues in former years, the canal debt would also have been entirely extinguished, and we should have the satisfaction of announcing that the State was entirely free from debt.

BUSINESS AND REVENUES OF THE CANALS.

The details of the receipts and expenditures upon the canals, and the statement in regard to the canal debt and sinking fund, will be found in the report of the Auditor of the Canal Department.

In my last annual message I had occasion to refer to the heavy losses of the forwarders and boatmen on the canals, caused by the general depression of business, and the extraordinary competition of the railways, especially during the season of 1876. During that year the crops were short, the volume of business was very small, and the rates of freight insufficient to pay expenses. It is very gratifying to be able to state that, during the past season, a marked improvement has taken place. The competition of the railways has been less ruinous, the crops have been unusually abundant, the business upon the canals has increased to such an extent that all the available boats have been brought into service, and full and remunerative rates of freight have been freely paid. A season of greater prosperity for forwarders and boatmen has not been known in many years. In view of the depression and losses of 1876, and not anticipating the revival which has taken

place in 1877, the tolls were reduced to an extremely low rate for the last year. Consequently the revenues have not kept pace with the increase of business. The gross amount of receipts, from all sources, was \$1,053,361.01. The expenditures for superintendence, collection, and ordinary repairs, amounted to \$1,650,329.68, showing an excess of receipts over expenditures, for the fiscal year, amounting to the trifling sum of \$3,031.33 to be paid into the sinking fund. This leaves a large deficiency to be supplied by taxation. At least a one-fourth mill tax will be required for that purpose.

The gross tolls for the calendar year 1876 were \$1,340,003.30, the gross tolls for the calendar year 1877 were \$880,000, showing a falling off of \$460,003.30. This shows a lower amount of receipts for tolls than has been known within the last forty-five years. As the Constitution limits the amount which can be expended during this year to the gross amount received during the last year, it will be seen from the above statement that there is an absolute necessity that the expenditures should be reduced, during the present year, very largely. The only hope of accomplishing this necessary reduction is, in my judgment, immediate adoption of the change of administration provided for in the amendment of the Constitution, by the appointment at the earliest practicable day, of a Superintendent of Public Works, whose duty it will be to devise a new plan of administration and a thorough reorganization. By making this change, it is believed that the expenditures for the current year can surely be brought below the gross amount of revenues for the last year, and the service upon the canals improved in every respect. Most of the evils, waste and corruption which have disgraced the management of the canals in former years, arose from the systematic extravagance and fraud long prevalent upon them, and which had grown into monstrous proportions, when they were arrested by the thorough investigation and reform inaugurated in 1875. All experience has shown that the navigation of the canals is not improved, but is actually damaged by large revenues, leading to wasteful, careless and corrupt expenditures. This is illustrated by the experience of the past season. The expenditures have been much lower than for many years previous, but in no one of them have the canals been in such complete order, and so free from breaks and interruptions to navigation. And yet the administration, during 1877, has been under the old cumbersome and expensive system. It is the opinion of many well-informed men that by placing the administration under one responsible head who will adopt a new system, cutting off all abuses, the canals can be successfully managed for one-half the expense incurred during the past year. This expectation may be too sanguine and it will be imprudent to act upon it before it has been tried, but I trust it may be very nearly realized. The extraordinary and gratifying results which have been reached in the State prisons by the faithful and efficient supervision of one responsible head give reason to hope for similar results under like management of the canals. The legislation necessary to carry the amendment of the Constitution into effect was adopted by the last Legislature, but at too late a period to permit a superintendent to adopt a new plan and perfect a new organization before the opening of navigation. I trust that no unnecessary delay will now occur in carrying into effect the amendment which has become vital to the prosperity, if not to the very existence, of the canals.

The improvement in canal transportation in the last season did not commence until about the first of July. From that date till the close of

the season the number of boats which could be brought into use was found insufficient to meet the demands upon them. It is confidently expected that the improvement will continue throughout the whole of the coming season, and that new boats will be built sufficient to supply this deficiency. If this expectation shall be realized the canals will show that they have passed safely through the crisis of financial disaster, and that they will henceforth be able to meet the requirements of the Constitution, and at the same time secure the prosperity of those who navigate them. To say they cannot do this is a confession of weakness and decay which their friends will be unwilling to make.

THE LATERAL CANALS.

A reference to the comparative table in the Auditor's report giving the income and payments of each of the canals shows that of all the canals in the State only the Erie earned more than its expenses, and that while that yielded the small revenue of \$84,840.88 over expenses, nearly all the others failed to produce a half or even a fourth of the sums expended to keep them in repair.

All the laterals south of the Erie except the Cayuga and Seneca are practically abandoned. No further expenditures should be made upon them. Those north of the Erie, required by the Constitution to be kept, give results of a very discouraging nature.

The Oswego canal shows receipts of \$20,473.40, expenditures of \$60,994.29; the Black River receipts of \$15,711, expenditures of \$54,381.23; the Champlain receipts of \$63,161.77, and expenditures of \$214,339.81.

STATE PRISONS.

A great improvement to be noted in the affairs of the State is that shown in the management of the State prisons. The number of convicts in the three prisons on the 30th of September, 1877, was as follows:

Auburn,	1,388
Clinton	566
Sing Sing.	1,641
Total.	<u>3,595</u>

The total number on September 30, 1876, was 3,509, showing an increase for the present year of eighty-six. The advances from the treasury exceeded the receipts from prison earnings for the fiscal year ending September thirtieth last by the sum of \$359,688.08. This deficit, as given in my last annual message, was \$704,379.85, showing a decrease of the annual draft upon the State treasury of \$334,691.77. As the present Superintendent did not enter upon his official duties until the 17th day of February, 1877, and had, therefore, been in control little more than seven months at the close of the fiscal year, this result is the more creditable. Of the actual deficit the first five months, during which the prisons were managed under the old system, developed by far the greater part. It is but fair to add that the returns of Sing Sing, formerly the most costly of all our prisons, for the last three months of the calendar year show an actual revenue to the State treasury over all expenditures. These figures furnish strong proof of the wisdom of the new system of managing our public institutions through a single responsible head, and inspire the hope that in a short time the prisons of the State, so long a

costly burden to the tax-payers, will become self-sustaining. An equal advantage of the present system already obtained is found in the better discipline and greater industry maintained in the several prisons; morally, far more beneficial to their inmates than the license and irregularities of former times.

In connection with the penal system of the State, I ask that you consider the overcrowded condition of our State prisons, largely the result of excessive sentences. Some years since an act was passed, allowing very considerable deductions from the terms of convicts whose behavior should be satisfactory during their confinement. This law has much improved the discipline in our prisons, and has worked well in all respects. A study of the commitments since its passage, however, leads to the conclusion that our criminal courts, especially in the city of New York, take account of these deductions in passing sentences, and by imposing longer terms, really defeat the object of the commutation act. The extreme penalties of the law are often inflicted for first offenses of every grade. It is not at all uncommon to find in the State prisons lads of sixteen or eighteen who, for a really trivial fault, upon their plea of guilty to an indictment of some grave crime, have been sent to prison for twenty years. Such boys are too often, although innocent, led to plead guilty to crimes they never committed, by the persuasions of indolent or unprincipled lawyers, who having robbed them of their money seek thus to avoid the trouble of trials. Some such convicts are able to bring their cases to the notice of the Executive, with proofs which justify the exercise of clemency, but the great majority drag out wretched lives in prison, emerging at last useless to themselves and the community. It seems that some steps should be taken to prevent this injustice, and I ask that you consider the matter in connection with the subject of penalties.

STATE REFORMATORY AT ELMIRA.

The State reformatory at Elmira approaches completion, and now contains about 140 convicts. The Legislature, at its last session, passed an act giving the board of managers wide discretion in the detention, release and supervision of the criminals committed to their charge. Under this act, it was hoped by those who had given much attention to the subject, the maximum of moral improvement in youthful convicts might be attained. The system is, of course, an experiment. It has been often advocated, but never before so thoroughly tried in this State. The reformatory is believed to be at present so administered as to insure the success of the experiment, if success is possible. There have been expended upon the buildings and grounds, fittings and furniture of the reformatory during the past year, \$80,000, leaving an unexpended balance of the appropriation made last winter of \$105,000, which the managers estimate will be sufficient to complete the building. It will then accommodate 500 convicts, and may furnish needed relief to our crowded State prisons.

UNEMPLOYED LABOR.

The depression in all branches of trade, business and manufacture, and the wreck of our too numerous railroad, mining, iron and milling ventures, have thrown out of employ a vast number of laboring men, who, without fault of their own, are now suffering extreme want. While it is true that legislation can do little for their relief, it is well to understand clearly the causes which have led to their distress. In 1860 there was

no complaint of lack of employment or scant wages. The money of the country was specie or paper convertible into it at will. The currency was substantially steady and uniform, as was the condition of all branches of trade and industry, and the prices of labor, and of the necessities of life. The laws of trade regulated and controlled the entire energy of our community.

Immediately after the commencement of the civil war in 1861, the general government began an inflation of the currency by the issue of paper money. This soon led to the suspension of specie payments, and, consequently, the volume of the currency demanded by trade had no regulator. Within three or four years the volume of our currency was swollen to more than double the amount in use in 1860 and 1861. The inevitable result followed; a rapid increase of the price of all commodities, an unnatural stimulation of trade and manufactures, and a necessary increase in the wages of mechanics, artisans and laborers. At the same time another great evil was strongly developed. Individuals and corporations engaged in the various branches of manufacture taking advantage of the necessities of the government rushed to Congress and, by every means in their power, procured each for its own benefit the levy of what were called protective duties, under the false pretense of raising revenue for the government, but really to compel consumers to pay exorbitant prices for the favored articles thus protected. Under the wing and stimulus of this so-called protection new enterprises were undertaken; new and extensive factories built; new and needless railways projected and undertaken; new mines and foundries opened, and armies of laborers allured by high wages to these enterprises from fields of agriculture and other sober and rational employments of life. The few notes of warning raised against the certain consequences of this wild overaction were unheeded. Extravagance of expenditure, the absence of every thing like frugality and economy obtained in all directions. The empty and delusive bubble thus raised could not endure, and although kept afloat by the whole power of the government so long as it was possible, it met at last the inevitable day of doom. Imaginary fortunes vanished in a moment, ill-advised railway schemes, mines, mills and factories, were suspended, and tens of thousands of innocent and unfortunate laborers were left without employment or the means of subsistence. Instead of the high wages by which they had been enticed from other occupations to these enterprises, they received no wages at all. It is easier to discover the cause of this distress, than to point out the manner of its relief. There can be but one permanent and effectual remedy. That is to return as speedily as possible to the condition of things that existed before the road to ruin was entered upon; by means of a return to specie payments, a sound and stable currency, and the reduction of the tariff to a strictly revenue standard.

Under the influences of these measures all branches of industry will resume their old and accustomed regularity and success. All departments of labor will call for employes, to whom such wages will be paid as the business will warrant, and the parties can agree upon. If a surplus of unemployed laborers still remains, there are open to all in this great country countless millions of fertile acres of land upon which every industrious man can be sure of securing for himself and family at least a comfortable subsistence. One of the greatest evils resulting to the laboring men, from the false and delusive appearances which have been displayed before them, is that they have been induced to leave the

safe, peaceful and independent walks of agriculture, to congregate in the large cities, and there to watch and wait for something that they fancy might yield them larger returns than they could hope for from the cultivation of the soil. But, by following faithfully and earnestly the road here indicated, it will not be very long before business and trade will be restored to their natural channels, and laborers receive full employment with fair wages. All efforts to delay this result will do no good, but infinite harm. The worst thing that could possibly happen to business and to labor, would be any thing approaching a return to the unsound and vicious condition of things which has so long prevailed, and from which we are now slowly emerging. It can have no possible result but another downfall and a more wide-spread ruin. If, in the meantime, any legislation is found necessary and practicable for the protection of the laboring classes against frauds and wrongs on the part of the individuals or corporations by whom they are employed, it should be promptly undertaken with a proper sense of the importance of the great interests involved.

RIOTS OF JULY.

Times of distress like those above referred to, never failed to open a wide field to a class of agitators and demagogues, who, whilst declining to work themselves, make it their business to go amongst honest men who would labor if they could find work, and endeavor to stir up strife and discord. During the last summer those agitators, reinforced from every large city in Europe, were unusually active and malignant. Spreading themselves all over the country, they endeavored to create discontent among all those who had employment and to stir up the evil passions of those who had not. Combinations were formed for strikes on all the principal railway lines and in all the large mining and manufacturing establishments. These efforts culminated in wild scenes of riot and bloodshed in several States. Like scenes were threatened in this State on the first of July and broke out in acts of open violence on the 21st of that month. The trains upon the Erie and New York Central railways were forcibly stopped, the depots, freight-houses and rolling stock taken possession of by violence and threatened with destruction by fire; honest and innocent laborers and employes who refused to abandon their work and their places were forced from the trains or driven from the shops. Excited crowds of men were collected at Albany, at Syracuse, at Buffalo, at Hornellsville, at Corning, at Elmira, and the peace of the city of New York was seriously threatened. In this condition of things it was impossible to hesitate as to the course to be pursued by the Chief Magistrate of the State. Much as all men are dependent upon the laws for protection there is no one class more constantly in need of it over whom its protecting power should be more constantly exercised than the poor and laboring. And, greatly as our sympathies might be exercised in their behalf, when wicked and evil disposed men undertook even in their name to set the government at defiance and to overturn the laws made for their protection, it was incumbent upon the authorities at once to vindicate the majesty of the law and make its power felt. Seeing the magnitude of the disturbance and the danger of its spreading over the whole State, the entire force of the National Guard was ordered under arms to hold itself ready to move at a moment's notice. The manner in which the military forces of the State responded to this order was worthy of all praise. The Fifty-fourth regiment of Rochester, the Seventy-fourth of

Buffalo, the One hundredth and tenth battalion and battery of Elmira, and the Twenty-third regiment of Brooklyn were first ordered to Hornellsville, where the disturbance commenced. The Ninth regiment of New York, the Tenth and Twenty-fifth of Albany, the Troy Citizens' corps and the Tibbits corps of Troy, with some separate companies, were ordered to Albany. The Albany Burgesses corps and the Jackson corps volunteered their services and were accepted. The Forty-ninth regiment of Auburn, the Sixty-fifth of Buffalo, and several separate companies were ordered to Buffalo, the Fiftieth battalion of Ithaca was ordered to Elmira, and the Eighth regiment of New York, to Syracuse. The several regiments, battalions and companies above mentioned, moved to the respective points designated, with extraordinary rapidity and good order. Their behavior throughout was highly creditable to their discipline and training as citizen soldiers.

One of the most dangerous modes of interfering with the operating of the railways was the tearing up of the tracks and the placing of obstructions upon them for the purpose of wrecking trains, thereby imperiling the lives of passengers and destroying the property in process of transportation. Fortunately, the Legislature, at its last session, passed an act inflicting severe penalties upon parties guilty of this monstrous crime. Along with the movements of the troops above mentioned, I issued a proclamation reciting the provisions of the said act, and offering a reward of \$500 for the arrest and conviction of any person guilty of its violation, and calling upon all magistrates, sheriffs, and district attorneys to be vigilant in the prosecution of offenders. The measures thus taken proved entirely effectual. Within one week from the outbreak of the disturbances they were entirely suppressed, peace and good order restored, and the military forces dismissed and returned to their homes, without bloodshed or serious destruction of property. The accounts for the services, transportation and subsistence of the troops have been carefully examined and audited by the Adjutant-General, and with a few trifling exceptions, paid. The aggregate amount, it is believed, will not exceed \$230,000.

Only a few applications have been made for the reward offered in the proclamation above referred to. The offer of the reward having fully accomplished its immediate object, I have, in view of the convening of the Legislature, withdrawn it. I recommend, however, some increase of the usual appropriation from which rewards for the apprehension of criminals are paid.

THE NATIONAL GUARD.

At the present time the National Guard consists of eight divisions, fourteen brigades, one regiment and eleven separate troops of Cavalry, one battalion and eleven separate batteries of Artillery, and twenty-four regiments, seven battalions and twenty-one separate companies of Infantry; in all comprising 1,152 commissioned officers, and 18,883 non-commissioned officers, musicians and privates, making an aggregate force of 20,035.

The report of the Adjutant-General, to which I invite your careful attention, shows in detail the number and organization of the military forces of the State. It also gives the details in full of their operations during the exciting riots in July last. The discipline and efficiency of the forces were illustrated in a most gratifying manner during the severe trials through which they were called to pass. Ordered suddenly to

duty, without time for suitable preparations for a campaign, they moved without a murmur, and with extraordinary rapidity to their assigned positions, and their behavior throughout was in the highest degree creditable to them. The events and the results show the necessity of an efficient and well-organized military force of its own, in every State that would maintain its independence and the supremacy of its laws, without calling upon the federal government. Whilst the services to which I have referred prove the general excellence of our organization in this State, they also disclose certain points in regard to which improvements are possible and important. Several regiments and brigades were found to contain very few men but a full number of officers. These have been undergoing disbandment to a large extent, by which efficiency will be gained and expense saved. The Adjutant-General urges in his report, the importance of organizing a separate company in each county where there is no regiment or battalion. Such companies, with full numbers and good officers, would be at all times available at the call of the sheriffs of the several counties in case of local disturbances, and it was found by experience during the last summer, that companies of this class performed excellent service and were easily formed into battalions or attached to other organizations. I cordially approve the recommendation of the Adjutant-General in this respect, and also such increased appropriations as will enable every enlisted man in the force to be fully equipped without personal expense to himself.

COMMON SCHOOLS.

The Superintendent of Public Instruction has given to me the following statistics :

Total receipts, including balance on hand Sept. 30, 1876,	\$12,110,903 63
Total expenditures.....	10,976,234 45
Amount paid for teachers' wages.....	7,915,633 51
Amount paid for school-houses, repairs, furniture, etc....	1,358,404 35
Estimated value of school-houses and sites.....	30,386,248 00

Number of school-houses.....	11,833
Number of school districts, exclusive of cities.....	11,287
Number of teachers employed for the legal term of school,	19,737
Number of teachers employed during any portion of the year	30,161
Number of children attending public schools.....	1,023,715
Number of persons attending normal schools.....	6,045
Number of children of school age in private schools....	117,154
Number of volumes in the school district libraries.....	765,546
Number of persons in the State between the ages of five and twenty-one years.....	1,586,234

It will be seen from the foregoing statement that the money raised by taxation for the schools of the State, amounts to much more than double the sum required to pay the entire expenses of the State government, executive, legislative, judicial, civil and military. The expenditure of so large an amount of public money for any purpose, is liable to lead to great abuses, as has been shown in all our past experience. In my judgment, a very great wrong has already grown up in connection with our otherwise excellent system. It lies in the principle of applying large amounts of the moneys raised by taxation, to the support of

high schools, and instruction in all the sciences and higher branches of study required in the learned professions. I can find no excuse for raising money by general taxation for such purposes. The only good reason which can be urged for taxing one class of citizens for the education of the children of another class, is the necessity of giving to the children of all classes a sufficient common school education to enable them to understand their duties, and exercise their rights as citizens of a free country governed by the popular voice. When we go beyond this and take from one man the money necessary to educate the children of another man in the arts and sciences, we perpetrate an act of injustice under the forms of law. What is worse than this, instead of educating the masses of children so as to prepare them for the pursuits and industries upon which they must depend for a living, we educate them in such a way as to make them discontented with their condition, unfit to discharge its duties in a manner most beneficial to their own interests, and take away the strong incentives which impel those who are really able and worthy to win for themselves high positions in learning and usefulness. When the State has given to all the children a good common school education, it should there leave them to their own resources, and to follow such callings in life as their capacities fit them for. To go beyond this, is to injure rather than benefit them. These and several other suggestions upon this subject were referred to in my last annual message, with a caution to avoid any abuses of our school system which would bring it into disrepute, and loosen the hold which it now has upon the favor of the community. I commend these suggestions to your consideration.

COLLEGES AND ACADEMIES.

The system of higher education in the colleges, academies and high schools continues in successful operation.

The details of the condition and working of these institutions, for the last year, will be fully exhibited in the annual report of the Regents of the University, to be transmitted to the Legislature early in the session.

CONSTITUTIONAL AMENDMENTS.

Among the changes made in our Constitution, in 1874, were many restricting the powers of the Legislature in certain cases. These limitations are so constantly liable to infringement, in the hurry of legislative business, that I deem it proper to call special attention to the amendments themselves.

Section 18 of article 3 provides that "The Legislature shall not pass a private or local bill in any of the following cases :

"Changing the names of persons.

"Laying out, opening, altering, working or discontinuing roads, highways or alleys, or for draining swamps or other low lands.

"Locating or changing county seats.

"Providing for changes of venue in civil or criminal cases.

"Incorporating villages.

"Providing for election of members of boards of supervisors.

"Selecting, drawing, summoning or empanneling grand or petit jurors.

"Regulating the rate of interest on money.

"The opening and conducting of elections, or designating places of voting.

"Creating, increasing or decreasing fees, per centage or allowances of

public officers, during the term for which said officers are elected or appointed.

"Granting to any corporation, association or individual the right to lay down railroad tracks.

"Granting to any private corporation, association or individual any exclusive privilege, immunity or franchise whatever.

"Providing for building bridges and chartering companies for such purposes, except on the Hudson river below Waterford, and on the East river, or over the waters forming a part of the boundaries of the State."

Section 19 of article 3 is as follows: "The Legislature shall neither audit nor allow any private claim or account against the State, but may appropriate money to pay such claims as shall have been audited and allowed according to law."

Section 24 of article 3 provides that "The Legislature shall not, nor shall the common council of any city, nor any board of supervisors grant any extra compensation to any public officer, servant, agent or contractor."

The aim of these changes was to limit legislative action in matters of which it is impossible that the Legislature should have accurate knowledge. Of the great number of bills which I was unable to approve at the last session, a majority infringed some of these restrictive provisions, and as this doubtless arose from oversight, I have thought proper to insert them here.

GENERAL LEGISLATION IN APPROPRIATION BILLS.

I refer again to the very objectionable practice which has prevailed of enacting general legislation in appropriation bills. It places legislative provisions where no one ever expects to find them, and puts them beyond the reach of disapproval by the Governor, unless he vetoes the whole bill in which they are contained. There was less of this mischief in the appropriation bills of last year than had become usual, but there was too much of it. It should be discontinued altogether.

VILLAGE CHARTER AMENDMENTS.

For some years past it has been the policy of the Constitution to lessen local and special legislation. I need not dwell on the great extent to which this class of statutes had swelled at the time the people, by amending the Constitution, sought to diminish it. The settled purpose of the people is to commit this entire subject to general laws. Yet localities still attempt to defeat this aim and to return to the old and evil path of special charters and special provisions. Although villages cannot now be so chartered, and the general act provides that those organized before the Constitution was amended may take the benefit of the new system, efforts are often made to amend the old charters by special acts and thereby secure a new special charter under the guise of an amendment. In nearly every case such amendments are directly in conflict with the policy and provisions of the general statutes, and seek by means more or less unworthy to gain local advantage at the expense of general policy. Careful reflection on this subject has convinced me that far less evils will result from a refusal to enact or approve the mass of amendments proposed to these special village charters, and the reference of the whole subject of village grievances to the general laws provided for their regulation. This course I earnestly urge you to take, believing that the great relief it will give to the overburdened files of the Legislature and executive, will more than compensate for any occasional friction in the adjustment of local affairs.

THE CITY OF NEW YORK.

The vast and increasing population and business of the city of New York, its position as the commercial metropolis of the western world, the rapid extension of its limits, its large corporations and institutions of various kinds, its political power, its immense trade and its financial and commercial interests, render its proper, economical and efficient government a problem of the highest importance, and of very serious difficulty. About twenty years ago, the embarrassments which had arisen in the local government led first to the establishment of legislative commissions to control various departments, and finally transferred to the State capitol nearly all the appropriate powers of the common council. Since then at every session of the Legislature the Senate and Assembly have, to a large extent, presented the appearance of a board of aldermen and assistant aldermen for the city of New York. The result has been disastrous in the extreme. Within that time upwards of twenty-four hundred laws have been passed relating to the city. These have been, upon some subjects, so confused and conflicting, that the court of last resort has pronounced it impossible to ascertain and declare their true meaning. The enormous extent of corruption and plunder perpetrated under these laws is too well known to require repetition. It stands out as the darkest blot upon the records of the city and the State. Of the oppressive debt which hangs over the city, the amount of eighty-five millions of dollars was put upon it by legislative acts, for which the city itself never applied. Of the 2,400 acts above referred to, the majority of them will be found to be, or to cover mere schemes for plunder, or to change official power from one class of men to another. At the last session of the Legislature, over 150 bills relating to the city were introduced into the two houses, and a majority of them were passed. Some of them originally contained very good provisions for remedying evils which had become intolerable, but in their passage through the Legislature there had been attached to all such provisions amendments which were intended to keep up the old and corrupt system, and which could not fail of producing more injury than benefit. Many of them were also in flagrant violation of the Constitution. For these reasons, and in the full conviction that it was worse than useless to pile upon the city of New York any more laws of the description of those which had been passed during the last twenty years, I returned all bills of this character without my approval. The question, "what now is to be done?" remains an open and important one. The whole subject of municipal reform was under discussion for many months by a commission composed of very able and learned men appointed by my predecessor, and their report was made to the Legislature at its last session. The plan of government proposed by the commission involved, however, certain extensive amendments to the Constitution. These amendments were approved by the last Legislature. Under the Constitution, they must be approved by you also before they can be submitted to the people. If you see fit to do so, they will be referred to the people for action at the next general election. In the event that you withhold such approval, it will remain a grave question for the Legislature to determine what should be done.

In my message returning to the Assembly the bill entitled "An act to secure better local government for the city of New York," I stated that in my opinion the great want of the city was a charter.

I am still of the opinion that the only effectual remedy for the evils under which the city suffers, will be a careful and well considered charter in the nature of a constitution, organizing a local government with a strong and responsible executive head, with a city legislature composed of two houses, and clothed with all the powers of local legislation, subject to veto by the mayor. I believe that such a charter may be easily framed, although it would be out of place to attempt to set forth the details of it in this message. When once fully and fairly considered and adopted, it is believed that the advantages of it would be so apparent as to induce steady adherence to it, and to the local government established under it rather than to return to the dangerous experiment of passing local laws for the city of New York by members of the Legislature, three-fourths of whom know little of the wants of the city. In the meantime, if the Legislature shall adopt any measures relating to the city which promise real and substantial relief from its extravagant expenses and oppressive taxation, and free from the evils which have marred so many previous acts, they will meet my cordial approval.

HARBORMASTERS AND PORT WARDENS.

The large amount annually paid to harbormasters and port wardens in New York, is a direct tax upon the commerce of that port. It has been suggested to me by many persons engaged in the shipping trade, that all the services required by those officers might easily be performed by the police of the city or through the dock department, without any material increase of expense to the city, and thus exempt commerce from the heavy tax now imposed upon it. I am informed that New York is the only port where such charges are made, that nothing of the kind is known in any of the cities which assume to be her commercial rivals. It is, moreover, quite doubtful whether the legality of the charges made can be maintained under the recent decisions of the Supreme Court of the United States.

I submit the matter to your consideration.

EXCISE LAW.

The state of our excise laws seems to demand attention. Recently our highest court was called upon, in a case brought before it, to declare what the conditions are under which licenses to sell spirits in small quantities may be granted. Its conclusion was contrary to the construction under which the officials administering the law had acted, generally by legal advice, for some years past. It may be said the provisions now in force were found not to be such as the public generally had supposed them to be. The pains taken by the court in discussing the question proves that it was one of some intricacy. The doubt was due to there being too many laws on the subject in force at the same time; and the consequent necessity of resorting to older statutes in order to find the meaning of more recent enactments and of deciding where the old and the new law conflicted, and to what extent repealing clauses operated. If, under such circumstances, dealers erred in construing their privileges, it would not be just to hold them to penalties as for a willful violation of law. The Legislature is bound to make its enactments explicit and easy to be understood. The decision of the court, although undoubtedly correct, was a surprise, and caused much excitement among all interested. Its enforcement, no doubt, was accompanied by hardships. What is needed is to substitute for all existing laws on the subject a carefully

prepared statute, in its limitations and restraints, clear and explicit in all its provisions, and, above all, complete in itself; to be uniformly, steadily and constantly enforced.

REAPPORTIONMENT.

Among the duties devolved upon the Legislature by the Constitution, will be the rearrangement of the Senate and Assembly districts. Sections 4 and 5 of article 3 of the Constitution expressly charge the Legislature, after each census, to so adjust these districts, that they shall contain, as near as may be, an equal number of inhabitants. From the beginning to the end of the Constitution, there is no stronger obligation placed upon the Legislature than this. It involves the most important right of the people, under our form of government; their voice in the legislative halls. By the terms of the Constitution, this duty should have been discharged in 1876, but it was not performed in that or the succeeding year. I do not desire to characterize this past disregard of the command of our highest law. I assume that the present Legislature will observe its oath to support the Constitution. To adjust these districts according to the return of the census, is a matter of mere mathematical calculation. It is easy of accomplishment, if approached, as I presume it will be, in a fair and impartial spirit. Certainly we cannot expect that the people will long continue to observe the ordinary restrictions and requirements of statute law, if their representatives who make that law utterly disregard and defy the especial mandates of the Constitution they have solemnly sworn to support.

LIFE INSURANCE COMPANIES AND SAVINGS BANKS.

Life insurance is comparatively new to this country, having been little known until within the last thirty years. The companies first organized to transact it, had to follow an untrodden path, and to correct errors as they gained experience. Thus feeling their way along, as their methods improved their business and usefulness increased. They now distribute many millions annually among widows and orphans, a majority of whom would otherwise be left destitute. Such organizations, if well managed, are of inestimable benefit to the community, and deserve all needful legislative support and protection. From time to time laws have been passed for the mutual protection of insurer and insured. Some of them have been extensively followed in other States. It cannot be claimed that their operation has been eminently successful. In some respects they have worked positive harm. Although a detailed review of the subject is far without the scope of this message, it is proper to instance the section of our statute requiring the deposit by every insurance company chartered in our State, and of others not making a similar deposit in their own States, of \$100,000 in securities, as a condition precedent to the transaction of business. Several other States have added to their laws a requirement that companies chartered in this State should also deposit a specified amount of securities with their departments before doing business in those States. This has already resulted in hardship. The moneys so deposited in other States are completely beyond the control of the company which owns them, our department which supervises it, and the jurisdiction of our State courts. A perfectly solvent company may find itself embarrassed by the increasing calls upon it for heavy deposits of securities in other States. It would seem that funds thus beyond the jurisdiction of

our State, ought not to be accredited and certified by our department. Again, great injustice often attends the winding up of insolvent companies, and much of it is due to the theory of the law applicable to that subject. As would be properly prescribed for a commercial bankrupt, if the reserve of an insurance company becomes impaired, the law directs the Superintendent of the Insurance Department, the Attorney-General and the courts, to wind it up and distribute its assets. This rule is unjust to those policy-holders whose health has failed, and who are, therefore, unable to procure insurance elsewhere, and also to those who, by reason of advanced age, can only secure insurance at increased cost. I think some more equitable plan of dissolution might be devised for such cases. It is now the practice, upon the application of the Attorney-General when called upon by the superintendent to place the affairs of insolvent companies in the hands of a receiver, who, at great expense of time and money, and with invariable loss to those interested, winds up its affairs. It may well be asked if this work would not be better and more cheaply done by placing the affairs of such companies in the hands of other life insurance or trust companies of high character and of known and approved responsibility, rather than in the hands of receivers, who are strangers to the practical methods of managing this class of business.

Akin to the business of life insurance, in many respects, is that of savings banks. These institutions hold in trust the little treasures of the poor. Upon their soundness and honest management depends much of that public confidence essential to the business of the country. Numerous failures among these banks have brought heavy losses upon those ill able to bear it, and stripped many of their entire savings. All that I have said of the insolvency of life insurance companies is as well applicable to the closings of savings banks.

I urge the Legislature to take strict account of these two classes of fiduciary corporations. Their organization, methods and needs are so nearly alike, that they may be treated together. The State which chartered them has a right to say they shall be faithful to those who trust them. To that end it should hold them to a strict accountability. It is a lamentable fact, that many organizations in both these great lines of business, have been found utterly unworthy of trust during the past few years. Life insurance companies have engaged in reckless competition, paying exorbitant commissions and investing in costly buildings and equipments. Savings banks, not content with filling their proper sphere as custodians of small savings, have sought to extend their business by obtaining deposits of large amount, a course which I deprecated in my last message. They, too, have been guilty of improper extravagance of management. It is equally true that the departments created for the special supervision of these institutions have failed to protect the public from loss by such shortcomings. Whence this failure has come is matter for your grave consideration. It is doubtless true that the laws which govern both the departments and the companies might be wisely amended, but the subject is a most important one. It must certainly be admitted that the departmental examinations have so far failed to give to the public any safeguard at all commensurate with their enormous costs to the institutions examined.

THE CODE.

In 1848, the old system of practice at law and in equity was abrogated, and in its stead was enacted the Code of Civil Procedure. Contemplating at this distance of time the results of the change, it may well be doubted whether it conferred any substantial benefit upon the people at all equivalent to the evils of which it was the cause. For twenty-five years the practice of law was unsettled. Private rights were imperiled by differing constructions of remedial provisions, and thousands of practice questions burdened our courts and crowded our law reports. At last, however, at the end of a quarter of a century, the construction of the Code had been substantially fixed by the courts. It was no longer common to see a citizen deprived of substantial rights in our tribunals through mistaken views of practice. The Legislature passed an act March 2, 1870, authorizing certain commissioners to "revise, simplify, arrange, and consolidate all statutes of the State of New York, general and permanent in their nature, and in performing this duty to bring "together all statutes and parts of statutes which, from similarity of subject ought to be brought together, omitting redundant or obsolete enactments, and making such alterations as may be necessary to reconcile the contradictions, supply the omissions and amend the imperfections of the original text." It is not necessary here to discuss the seriously debated objection, that this authority was not meant to extend to a revision of our system of practice. The commissioners did submit a new and voluminous act, entitled "The Code of Remedial Justice." Part of it, including 1,496 sections, was enacted by the Legislature of 1876, with a provision that it should not take effect until May 1, 1877. This date the Legislature, at its last session, changed to September 1, 1877, since which date that part of the revised system has been in operation under the restored name of "The Code of Civil Procedure." The remainder of the proposed Code, containing 1,800 sections, was passed by the last Legislature and sent to the Executive chamber, with more than 250 other bills, to be acted upon during the thirty days following the adjournment. It was a physical impossibility to read the act, which covered nearly 700 closely printed pages. The Constitution forbade its enactment after the adjournment without the written approval of the Governor. I did not feel authorized to approve an act which I could not read, and the bill, therefore, failed to become a law. The matter will, undoubtedly, be brought to your attention. It seems only proper to remind you that this new system can only be continued at the expense of another long period of doubt and litigation over its proper construction, which will cost the people of the State many millions of dollars. Already, serious questions of this sort have been brought before the courts. The great question will be presented to you whether the new system can be so far superior to the old as to justify you in committing the whole administration of civil justice to the confusion of construction from which it has just emerged. The courts under the old system, which they understand, are already burdened with labors almost beyond endurance, and it seems unwise to precipitate upon them a mass of practice litigation which must necessarily retard still more their accumulated load of business. I submit to your careful reflection the proposition that this grave subject would be best disposed of by the repeal of the partial Code which went into effect on the first of September, and the re-enactment of the Code which was in force up to this date, to be amended from time to time, as experience may suggest.

SPECIE PAYMENTS.

In view of the discussions going on in the Congress of the United States, it seems proper for me to remind you and our people that, whatever may happen elsewhere, specie payments are, under existing laws, to be resumed in this State from and after the first day of January next. Chapter 73, of the Laws of 1875, provides, first, that after the first day of January, 1879, all taxes levied in this State shall be paid in gold or in coin certificates or bank-notes redeemable in gold; and, secondly, that in all contracts made in this State after that date, the word dollars shall be construed to mean coin. All our taxes, general and local, including canal tolls, will, next year, have to be paid in gold or its equivalent, and the courts will be obliged to enforce private contracts in coin.

It will be seen that the day fixed in this law of our State is the same which is appointed by existing statutes of the United States for the resumption of specie payments by the treasury. The low premium on gold, which has for a long period prevailed, indicates a condition of things favorable to specie payments being generally re-established at an early day. It seems to me manifest now that if the credit of the federal government can be maintained at the point at which it stood a month or two ago, so that its bonds bearing low interest are freely sold, the treasury will be able to resume payment on or before the day designated, without distress to the community. We have, in fact, passed through all the suffering involved in the reduction of prices which inevitably followed the false values of a period of great inflation. Prices both of wages and property are, with few exceptions, lower to-day than they would have been if we had never departed from the coin standard; and I do not doubt that the resumption of specie payments will, at once, increase the exchangeable value of property and the market-price of labor. They are in error who suppose that a prolongation of the present uncertain condition of things will bring relief to those who, owing money, hope to realize more for their property, or to that large class of men which is looking for better rates of wages. With the present want of confidence, property does not readily find purchasers at any price; capital is timid in investing; enterprise is checked. Until confidence is restored, our wonted activity in the exchanging of property will not return, and until the present tendency to inactivity and almost morbid caution ceases, we will look in vain for a higher rate of wages. No financial device, by way of renewed inflation or debasement of our money, will compensate for the disastrous effects of the additional loss of confidence, which any such device will bring about. Relief is near at hand if we will seek it by the straight road; and it would be great weakness now, when we have paid the full cost of success, to take a single backward step. Any wavering on the part of the federal government, in respect to this question, must have the effect of prolonging indefinitely and intensifying the unhappy condition of business and of industry, under which we have suffered for several years. There can be no confidence in private transactions, if the general government set an example of a want of good faith. And it must always be borne in mind, in reference to the present discussion, as to the precise meaning of the government obligations, that the government debt cannot be enforced; there is no arbiter or tribunal to decide between the government and its creditors; the debt is purely a debt of honor; in such cases the debtor cannot keep himself clear of the imputation of bad faith, except by ruling all doubtful questions as to the meaning of his

promise against himself. I trust there will be wisdom enough at Washington to avoid hindering our present hopeful progress toward specie payments, and that the laws of the general government, and those of our own State, on this subject, will continue to be, as they now are, in harmony.

BOUNDARY LINE BETWEEN NEW YORK AND CONNECTICUT.

The Legislature has heretofore passed resolutions directing the Attorney-General to take legal proceedings to determine the boundary line between New York and Connecticut through Long Island sound. The subject has been fully examined on behalf of the Attorney-General, and the result of such examination submitted to me. I am of the opinion that it is best that this question should be settled by a commission, to be appointed by the two States. I am informed that the Governor of Connecticut concurs in this view, and will so advise the Legislature of that State. I, therefore, recommend the appointment of commissioners to act with commissioners to be appointed by Connecticut, to determine the boundary line between the State of New York and Connecticut through Long Island sound.

THE ANTIETAM NATIONAL CEMETERY.

I have received a communication from the Secretary of War, stating that Congress has made an appropriation for the maintenance of the Antietam National Cemetery, to be paid, upon condition that the legal title to the cemetery shall be conveyed to the United States. The title has been held by the State of Maryland, as trustee for the several States that contributed towards its establishment. The Secretary of War requests that an act be passed by the Legislature of this State, consenting to the transfer of the property by the State of Maryland to the United States. The draft of such an act as is desired accompanies the communication. It will be submitted to the Legislature, and I recommend its early passage.

THE NEW CAPITOL.

It is now about ten years since the construction of the New Capitol was commenced. Up to the 15th of December, 1877, the sum of \$8,276,615.36 has been expended upon it. This is a larger amount of money than was expended on the original construction of the Erie and Champlain canals, and yet there is not a single apartment in the building completed. It seems beyond the reach of human foresight to discover when it may be finished, or the amount of money which will be required for that purpose. I respectfully urge every member of the Legislature to go through the vast pile of brick and stone, and judge for himself what are the prospects which lie before the people in regard to the enormous expenditures yet to be made. In my message disapproving an appropriation of a million of dollars at the last session of the Legislature, I stated fully my views in regard to the whole subject. I believed that it was better for the reasons there given, that no further appropriation should be made, at least until there was an improvement in business and in the capacity of the people to pay taxes. I believed then, as I believe now, that a Capitol of proper size and of proper appearance, with far better conveniences for the transaction of public business, and far less expense in the maintenance of it, could be built, finished and furnished for much less money than it will require to complete the present building in all its vast and useless

proportions. The views expressed by me in that message have been fully confirmed by repeated personal examinations of the building. There is not the least reason to believe that there is, in the whole State, any man of common sense who would now advise the commencement and construction of such a building as the New Capitol if it were an original and open question. The one only argument for going on with it is, that if we do not proceed we lose all the immense amount that has already been expended. This one consideration induced the Legislature to make an appropriation of half a million of dollars, instead of the million to which I had objected. Yielding to the conviction of the Legislature, that, for the reasons stated, the work must go on and the expenditures continue, I approved the appropriation for the half million. I, however, accompanied the approval with a recommendation that the money should be devoted to the completion, as far as possible, of the Assembly chamber, for the purpose of bringing some part of the building into use at the earliest practicable day and testing its adaptation to the uses for which it was intended. This recommendation was followed, and with very good results. The Assembly chamber is so far advanced, that if it is determined to go on with the work, it can undoubtedly be ready for occupation on the 1st of January, 1879. The expenditure of the half million appropriated, of course increases the strength of the argument to which I have referred, in favor of proceeding. If it shall be the judgment of the Legislature, that a further appropriation shall be made, I recommend that it be confined to the completion of the Assembly chamber, the Senate chamber, and possibly one or two other apartments, and that henceforth the work proceed by the completion of certain sections of it which may be brought into use, instead of spreading the expenditures over the whole building, large portions of which are not needed and cannot be used if completed.

The commissioners now in charge of the work have been attentive and faithful in the performance of their difficult duties. They are of the opinion that it is very desirable that whatever appropriation the Legislature may think proper to make should be made at an early day in the session in order that a portion of it may be used for stone cutting during the winter. Their recommendation in this respect has my approval.

OTHER PUBLIC BUILDINGS.

I would also make the same suggestion with reference to any appropriations which are to be made for insane asylums, or other public buildings. The practice of making the appropriation in the supply bill in the hurry and confusion of the closing hours of the session, is a very objectionable one. They will be more likely to receive the consideration and care which they should have, if brought forward early in the session. At the same time, in view of the general pecuniary embarrassment, I have to urge upon you the greatest possible frugality consistent with public interests.

CONCLUSION.

The importance of your labors, the dignity and responsibility of your position, are sufficiently attested by the fact that you are the legislative representatives of nearly five millions of people. The population and wealth, for which you are to care, far exceeds those of the republic in the days of Washington. This would be a great and sacred trust at any time. It is doubly so now, when the people are struggling to stem

the tide of corruption and crime, which, originating during the war, has since so widely deluged the State and nation, as to shake, at times, the faith of the most hopeful. In itself the war was a small evil compared with its resulting demoralization. The light regard for constitutions and the law, the debased and inflated currency, and finally, the open trifling with the public faith to which it gave birth, have wrought more harm to the people than even its mighty sacrifice of blood and treasure. Excessive luxury in living sprang from imaginary wealth, and linked with this came fraud, perjury, forgery and defalcations, breaches of trust in private business and among public servants standing beneath the obligations of official oaths. The rapine and plunder which, for twelve years, desolated the Southern States, the common treason to official trusts, and frequent use of public place for private gain, have worked deep injury to the nation's sense of right. Even now, millions of voters smart at the conviction that they have been defrauded of their choice in a national election, and robbed of the right of suffrage guaranteed them by their Constitution and the law. They believe that the presidency of the republic is held by one not elected to that office, and without moral title to its powers and its honors. This belief is shared by a majority of the people. They yield obedience to an Executive of fact but not of right, that they may save the land from anarchy. They none the less charge this great crime upon those high officials by whose conspiracy against the law it was made possible. That these their servants should have certified falsehood to be the truth, gives them deep sense of wrong. They know that this defiance of the people's will if it be made a precedent, will bring our government to a swift and certain end. For all these reasons the state of popular feeling is not what those who love our institutions long to see it. But, in spite of these discouragements, there are good grounds of hope for the future. A sounder state of public opinion is surely, though slowly, developing. Necessity with many, and good inclinations with more, are leading to rational living and closer economy of expenditure. The people demand more faithful service of public officials. The prison doors are closing behind many of the swindlers who from the ranks of so-called good society, have sought to make crime respectable, and we may well believe the day of retribution to those who falsify and corrupt the ballot-box, is near at hand. The long despotism of military occupation in the Southern States is a thing of the past. As the chosen representatives of the people, you are now called upon to take your stand in the unending conflict between right and wrong. I need not remind you that the State of New York has behind it a long and honorable history. It has stood foremost in every effort to elevate the people, to purify the public service, and to preserve unstained the institutions of our country. It is given to you, in the discharge of your high duties, to devote again the voice of the State to the cause of public morality and official virtue. I do not doubt that you will bring to this great work your best energy and most enlightened efforts, and to that end I earnestly bespeak for you the guidance and inspiration of the Divine Being with whom alone dwells perfect wisdom.

L. ROBINSON.

Mr. Brooks moved to refer said message to the committee of the whole and that the same be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. E. Taylor offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That when this House adjourns on Wednesday, January 2, 1878, it be to meet on Tuesday morning, January 8, 1878, at eleven o'clock A. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker presented the report of the Canal Department with the annual financial report of the Auditor of the Canal Department, which was laid on the table and ordered printed.

(See Doc. No. 4.)

Mr. Williams offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk of this House be authorized to make the usual contract with the postmaster of the city of Albany, and the Express companies, for the transmission of papers and documents.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord moved that the House do now take a recess until four o'clock P. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 2 o'clock and 10 minutes the House took a recess until 4 o'clock P. M.

FOUR O'CLOCK P. M.

The House again met.

Messrs. Fish and Nelson, the committee appointed to examine the ballots to be used in drawing, reported that they had examined the same and found them correct.

Mr. Prescott offered for the consideration of the House a resolution, in the words following:

Resolved, That William Jones, of Oneida, be permitted, on account of age and deafness, to select one of the front seats before drawing for seats commenced.

Mr. Nelson moved to amend by inserting the name of Mr. Mapes after the name of Mr. Jones.

Mr. Moller moved to amend by inserting the name of Mr. Piper after the name of Mr. Mapes.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Moller, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Nelson, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

The members of the Assembly then retired to the cloak room, and each member, as his name was called, selected his seat, as follows:

Name.	No.	Name.	No.	Name.	No.
Abbott	73	Graham	45	Patterson	120
Allen	28	Griggs	99	C. C. Peck	59
Alvord	66	Halliday	67	D. C. Peck	78
Andrews	94	Hamilton	13	Peck	100
Astor	18	Havens	23	Piper	15
Baker	26	I. I. Hayes	24	Pool	3
Bath	5	J. Hayes	54	Prescott	41
Beard	12	Henry	47	Proper	123
Bergen	83	Hepburn	77	Purdy	89
Berrigan	121	Hobbie	117	Reynolds	103
Berry	31	Holihan	16	Roberts	42
Bouck	8	Holbrook	115	Rowland	56
Brooks	76	Hoyt	71	Sawyer	96
Browning	107	Hulme	34	Searing	60
Brundage	88	Hurd	126	Seebacher	84
Burns	108	Jones	14	Sewell	36
Case	33	Keator	72	Shanley	51
Chappell	106	Keegan	125	Sheard	85
Chase	30	Kellogg	62	Sheldon	91
Clancy	38	Kern	53	Skinner	40
Clapp	127	King	4	Sliter	95
J. Clark	86	Langner	6	Sutherland	74
J. M. Clark	114	Loveland	21	Story	119
Converse	61	Lowing	101	Strack	32
Cormack	68	Mapes	87	E. Taylor	50
Cosad	128	Mattison	79	J. T. Taylor	55
Crandall	35	McDonough	17	Terry	102
Crawford	19	Mead	92	Thain	64
Crowley	124	Mekeel	75	Thomson	39
Curran	115	J. H. Miller	98	Townsley	81
Daly	10	S. V. R. Miller	2	Valentine	97
Day	7	Moller	22	Wadsworth	90
Deyoe	104	Mooers	93	Wakely	122
Douglass	110	Myenborg	48	Waring	82
Fish	9	Neilson	70	Wemple	52
Fitzgerald	112	Nelson	111	Wheeler	109
Floyd-Jones	43	Niven	46	Wilbor	58
Flynn	49	North	57	Willers	80
Foster	63	Noyes	37	Williams	11
Frank	25	Palmer	1	Willis	65
Galvin	44	Parker	27	Winch	20
Gilbert	105	Pattengill	29	Worth	118
Grady	69				

Mr. Speaker announced as Speaker's clerk, James B. Butler.

Mr. Fish offered for the consideration of the House a resolution, in the words following :

Whereas, The immense amount of mail and express matter sent from the Assembly each day renders it necessary to have some person to take proper care of express matter of the Assembly ; therefore

Resolved, That William N. Haskell be and is hereby appointed superintendent of express matter for the Assembly for the present session, and that he receive the same per diem and mileage compensation now by law authorized and paid to the assistant postmaster.

Ordered, That said resolution be referred to the committee on expenditures of the House, when appointed.

On motion of Mr. Holahan, at 6 o'clock and 30 minutes, the House adjourned.

WEDNESDAY, JANUARY 2, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of yesterday was read and approved.

The privileges of the floor were granted to the Hon. Wm. E. Calkins.

Mr. Cormack introduced a bill entitled "An act to amend section 1 of chapter 803 of the Laws of 1868, entitled 'An act to amend the acts to provide for the incorporation of religious societies, so far as the same relate to churches in connection with the Protestant Episcopal church,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies, when appointed.

Mr. Worth introduced a bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,' passed June 28, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. I. I. Hayes introduced a bill entitled "An act to secure better public administration in the local government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. Daly introduced a bill entitled "An act to secure the thorough cleaning of the streets of the city of New York, and the removal of ashes and garbage in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Also, a bill entitled "An act to regulate the sale of intoxicating liquors, wines, ale and beer in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, when appointed, with reservation to commit said bill to the committee on cities.

Mr. Holahan introduced a bill entitled "An act to authorize the religious society in the city of New York, known as the Congregation Rodef Scholem, to buy, hold and dispose of land for cemetery purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies, when appointed.

Mr. McDonough introduced a bill entitled "An act to amend an act entitled 'An act regulating the sale of intoxicating liquors,' passed April 10, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, when appointed.

Mr. Seebacher introduced a bill entitled "An act to amend sections 13 and 14 of chapter 467, of the Laws of 1853, entitled 'An act to provide for licensing and government of the pilots, and regulating pilotage of the port of New York, as amended by chapter 137 of the Laws of 1865, are hereby further amended so as to read as follows," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation, when appointed.

Mr. Prescott introduced a bill entitled "An act to amend chapter 344, Laws of 1877, entitled 'An act to authorize railroad corporations to pay commutation money for highway labor to commissioners of highways of towns,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads, when appointed.

Mr. Cosad introduced a bill entitled "An act to organize the Senate districts of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on apportionment, when appointed.

Mr. Brooks introduced a bill entitled "An act to establish the exterior bulkhead and pier lines of the harbor of New York, on the Staten Island side," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation, when appointed.

Mr. Hepburn introduced a bill entitled "An act to amend section 473 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Neilson introduced a bill entitled "An act to legalize certain proceedings of the board of supervisors of the county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, when,

On motion of Mr. Neilson, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 108 }
{ NOES }

Those who voted in the affirmative, were

Abbott	Daly	Kern	Purdy
Allen	Day	King	Reynolds
Alvord	Deyoe	Langner	Roberts
Andrews	Douglass	Loveland	Rowland
Astor	Fish	Lowing	Sawyer
Baker	Fitzgerald	Mapes	Searing
Bath	Floyd-Jones	Mattison	Seebacher
Beard	Flynn	Mead	Sewell
Bergen	Foster	Mekeel	Shanley
Berrigan	Galvin	J. H. Miller	Sheard
Berry	Gilbert	Moller	Sheldon
Brooks	Grady	Mooers	Skinner
Browning	Graham	Myenborg	Sliter
Brundage	Griggs	Neilson	Story

Burns	Halliday	Niven	Strack
Case	Hamilton	North	Sutherland
Chappell	Havens	Noyes	Terry
Chase	I. I. Hayes	Palmer	Thain
Clancy	Henry	Parker	Thomson
Clapp	Hepburn	Pattengill	Valentine
J. Clark	Hobbie	Patterson	Wadsworth
Converse	Holbrook	C. C. Peck	Wakely
Cormack	Hulme	D. C. Peck	Wemple
Cosad	Hurd	Peek	Wheeler
Crandall	Keator	Pool	Wilbor
Crawford	Keegan	Prescott	Williams
Curran	Kellogg	Proper	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Willers introduced a bill entitled "An act for the apportionment of the Members of Assembly according to the enumeration of 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on apportionment, when appointed.

Mr. Moller introduced a bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means, when appointed.

Mr. Lowing introduced a bill entitled "An act to amend an act entitled 'An act to authorize the trustees of the corporation of the village of Portageville, county of Wyoming, to cause an assessment to be made of the taxable property of said corporation, and to be levied and collected a tax sufficient to pay the indebtedness of said corporation,' passed June 4, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages, when appointed.

Mr. Holahan offered for the consideration of the House a resolution, in the words following:

Whereas, The Court of Appeals has declared that the conditions under which licenses to sell spirits in small quantities may be granted, are those required by the law of 1857; and

Whereas, Such conclusion is contrary to the construction under which the officials administering the law have acted; and

Whereas, The doubt was due to their being too many laws on the subject in force at the same time; and

Whereas, The Legislature is bound to make its enactments explicit and easy to be understood; therefore, be it

Resolved, That the committee on internal affairs report to this House within ten days after its appointment, a just and equitable law regulating the sale of spirituous and fermented liquors.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Worth offered for the consideration of the House a resolution, in the words following:

Whereas, The Sergeant-at-Arms should have additional assistance to take proper care of the document department; therefore,

Resolved, That Chas. A. Pavie be and is hereby appointed assistant superintendent of documents of the Assembly during the present session, at the same compensation as the superintendent of documents and to be paid in the same manner.

Ordered, That said resolution be referred to the committee on expenditures of the House, when appointed.

Mr. Skinner offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That it is the sense of the Legislature of the State of New York, that the good faith of the nation is pledged to the redemption of the coin obligations of the government in gold or its equivalent ; that any violation of the public faith would be injurious to the public credit and hurtful to the good name of our country ; that a new debasement of the currency would unsettle business, disorganize industry, injure labor, indefinitely postpone the resumption of specie payments, and thus defeat the early restoration of general prosperity ; and that, therefore, the enactment of what is known as the Bland silver bill by the Congress of the United States, or of any measure calculated to embarrass or prevent resumption within the time fixed by law, would be a grave public calamity.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Mr. Hepburn offered for the consideration of the House a resolution, in the words following :

Resolved, That the Sergeant-at-Arms be directed to affix to the desks of the different members the names of the counties they respectively represent.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Seebacher offered for the consideration of the House a resolution, in the words following :

Resolved, That 5,000 copies of the Governor's annual message be printed in German for the use of the members of this House.

Ordered, That said resolution be referred to the committee on public printing, when appointed.

By unanimous consent,

Mr. Bergen introduced a bill entitled "An act to close part of Second street, in the village of Parkville, Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

The Senate returned the concurrent resolution in the words following :
" *Resolved* (if the Senate concur), That when this House adjourns on Wednesday, January 2, 1878, it be to meet on Tuesday morning, January 8, 1878, at eleven o'clock A. M.," with a message informing that they had passed the same, with the following amendments :

Strike out the word "House" and insert the word "Legislature."
Strike out the words "eleven o'clock" and insert the words "seven and a half o'clock P. M."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence in their amendments.

Mr. Speaker presented the annual report of the Adjutant-General, which was laid on the table and ordered printed.

(See Doc. No. 6.)

Mr. Speaker presented the annual report of the Superintendent of Public Instruction, which was laid on the table and ordered printed.

(See Doc. No. 7.)

Mr. Speaker presented the annual report of the Comptroller; which was laid on the table and ordered printed.

(See Doc. No. 3.)

Mr. Speaker presented the annual report of the State Engineer and Surveyor; which was laid on the table and ordered printed.

(See Doc. No. 9.)

Mr. Lowing presented a petition to amend the charter of the village of Portageville, Wyoming county; which was read and referred to the committee on affairs of villages, when appointed.

Mr. Speaker announced the following committee on privileges and elections: George L. Terry, of Washington; Hamilton Fish, Jr., of Putnam; Lambert B. Kern, of Madison; James G. Graham, of Orange; Cyrus D. Prescott, of Oneida; Sherburne B. Piper, of Niagara; Joseph P. Strack, of New York.

On motion of Mr. Hepburn, at 11 o'clock and 40 minutes, the House adjourned.

TUESDAY, JANUARY 8, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of Wednesday, January 2, was read and approved.

Mr. Alvord in the chair.

Mr. Speaker presented the following:

To the Legislature:

I have the honor to tender my resignation as a Regent of the University, for want of time to perform my allotted share of the duties of the board.

With great respect.

JOHN A. DIX.

NEW YORK, *January 4, 1878.*

Mr. Griggs introduced a bill entitled "An act authorizing the board of supervisors of the county of Albany to issue bonds to pay a portion of the bonds of said county that will mature during the year 1878," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, when appointed.

Mr. Curran introduced a bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to incorporate the city of Cohoes,' passed May 19, 1869, and the act amendatory of the same, passed March 4, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. Allen introduced a bill entitled "An act to exempt the county of Erie from the provisions and operation of chapter 344 of the Laws of 1877, entitled 'An act to authorize railroad corporations to pay commutation money for highway labor to the commissioners of highways of towns,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads, when appointed.

Also, a bill entitled "An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, when appointed.

Mr. Day introduced a bill entitled "An act for the relief of the Buffalo Eye and Ear Infirmary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies, when appointed.

Also, a bill entitled "An act to regulate the rates of fare on the street railroads in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. C. C. Peck introduced a bill entitled "An act to amend chapter 413 of the Laws of 1877, entitled 'An act to prevent frequent changes of text-books in schools,' passed June 5, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education, when appointed.

Mr. Bergen introduced a bill entitled "An act to enable the county of Kings to acquire turnpike roads and plank-roads in that county for public highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges, when appointed.

Mr. Grady introduced a bill entitled "An act to amend sections 6 and 29 of chapter 495 of the Laws of 1875, entitled "An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means, when appointed.

Mr. Seebacher introduced a bill entitled "An act to amend an act in relation to the rates of wharfage and to regulate piers, wharves, bulk-heads and slips in the cities of New York and Brooklyn, passed May 6, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation, when appointed.

Mr. Thain introduced a bill entitled "An act to amend chapter 449 of the Laws of 1876, entitled 'An act explaining, defining and regulating the effect and application of, and otherwise relating to, the act passed at this session of the Legislature, entitled 'An act relating to courts, officers of justice and civil proceedings,' passed June 2, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Also, a bill entitled "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,' passed June 2, 1876," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Also, a bill entitled "An act to secure the payment of mechanics, laborers and workmen who perform work; also, persons furnishing materials toward the erection, altering or repairing buildings, wharves, vaults, or any other structure in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. McDonough introduced a bill entitled "An act to amend an act entitled 'An act for the protection of emigrants arriving in the State of New York,' passed 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation, when appointed.

Mr. Hoyt introduced a bill entitled "An act to authorize the board of supervisors of Orange county to issue bonds to provide for the payment of certain outstanding certificates of indebtedness of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Neilson introduced a bill entitled "An act to establish the compensation of the county judge and the surrogate of Saratoga county, pursuant to the fifteenth section of the amended sixth article of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Terry introduced a bill entitled "An act in regard to Union free school district, No. 1, in the village of Fort Edward, and to authorize the board of education thereof to contract with the Fort Edward Collegiate Institute for the use of certain rooms in said Institute for school purposes, and for the instruction of pupils therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education, when appointed.

Mr. Seebacher introduced a bill entitled "An act to release to Catharine Ringler the interest of the people of the State of New York in and to the surplus moneys deposited with the chamberlain of the city of New York to the credit of the action in the Supreme Court, wherein John Adelhart was plaintiff, and Catharine Ringler and others were defendants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities, when appointed.

Mr. Allen presented a petition of the board of supervisors of the county of Erie, for repeal of chapter 344 of Laws of 1877, in reference to railroad corporations to pay commutation money for highway labor; which was read and referred to the committee on railroads, when appointed.

Mr. Brooks offered for the consideration of the House a resolution, in the words following:

Resolved, That the Auditor of the Canal Department be requested to inform the Assembly, in the possible event of the abandonment of tolls on the Erie, Champlain and Oswego canals, what would be the probable cost of their maintenance by the State, specifying the yearly sums required for all probable repairs, the support of said canals named, and the amount of additional taxes which would be imposed upon the people if the canals are made free.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Grady offered for the consideration of the House a resolution, in the words following :

Resolved, That the concurrent resolution, adopted by the Legislature of 1877, proposing an amendment to the Constitution of the State, to be known as article seventeen thereof, be referred to the committee on cities (when appointed) with instructions to report thereon within thirty days.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Mr. Seebacher offered for the consideration of the House a resolution, in the words following :

Resolved, That the privileges of the floor be and is hereby extended to the Hon. T. J. Campbell, of New York, during his stay in this city.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The privileges of the floor were granted to the Hon. George Baltz.

Mr. E. Taylor offered for the consideration of the House a resolution, in the words following :

Whereas, The Sergeant-at-Arms requires assistance in the wrapping department; therefore,

Resolved, That Clinton L. Baxter be and is hereby appointed superintendent of the wrapping department, and that he shall receive the same compensation as the superintendent of documents and be paid in the same manner and for the same time.

Ordered, That said resolution be referred to the committee on expenditures of the House.

The privileges of the floor were granted to the Hon. O. M. Allaben.

Mr. Fish moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 7 o'clock and 55 minutes, the House adjourned.

WEDNESDAY, JANUARY 9, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of yesterday was read and approved.

Mr. Speaker presented the annual report of the Board of Commissioners of Pilots; which was laid on the table and ordered printed.

(See Doc. No. 11.)

Mr. Speaker presented the annual report of the State Homœopathic Insane Asylum at Middletown; which was laid on the table and ordered printed.

(See Doc. No. 8.)

Mr. Speaker presented the report of the Superintendent of State Prisons; which was laid on the table and ordered printed.

(See Doc. No. 10.)

Mr. Curran introduced a bill entitled "An act to organize a board of school commissioners in and for the village of West Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education, when appointed.

Mr. Griggs introduced a bill entitled "An act to authorize the payment of certain moneys out of the State treasury to Hamilton B. Russell, administrator of Mary McDonald, deceased, heir-at-law and next of kin of Edward Gleason, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means, when appointed.

Mr. Beard introduced a bill entitled "An act to repeal an act to establish specie payments on all contracts or obligations payable in this State in dollars, and made after January 1, 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means, when appointed.

Mr. Langner introduced a bill entitled "An act to repeal chapter 202 of the Laws of 1877, entitled 'An act to amend an act entitled 'An act relating to fares for carrying passengers on street railroads in the city of Buffalo,' passed May 1, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads, when appointed.

Also, a bill entitled "An act to amend an act entitled 'An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' passed April 17, 1854, as amended by chapter 458 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of this State, except the counties of Erie, Kings, Queens, New York and Onondaga, and as further amended by chapter 489 of the Laws of 1873, and by chapter 451 of the Laws of 1874, and by chapter 233 of the Laws of 1875,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures, when appointed.

Also, a bill entitled "An act to amend chapter 549 of the Laws of 1873, entitled 'An act to amend an act entitled 'An act regulating the sale of intoxicating liquors,' passed April 11, 1870, and the act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs, when appointed.

Mr. Hurd introduced a bill entitled "An act to incorporate the Buffalo Pipe Line Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Bergen introduced a bill entitled "An act to regulate the time of the payment of the salary of the judges of the city court of Brooklyn, of the county judge and surrogate of the county of Kings," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bergen, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 110 }
 { NOES 00 }

Those who voted in the affirmative, were

Abbott	Flynn	Mekeel	Searing
Allen	Foster	J. H. Miller	Seebacher
Andrews	Frank	S. V. R. Miller	Sewell
Astor	Galvin	Moller	Shanley
Baker	Gilbert	Mooers	Sheard
Bath	Grady	Meyenborg	Sheldon
Beard	Graham	Neilson	Skinner
Bergen	Griggs	Nelson	Sliter
Berrigan	I. I. Hayes	Niven	Speaker
Berry	J. Hayes	North	Strack
Bouck	Henry	Noyes	Sutherland
Brooks	Hobbie	Palmer	E. Taylor
Browning	Holahan	Parker	Terry
Brundage	Holbrook	Pattengill	Thain
Chase	Hoyt	Patterson	Thomson
J. M. Clark	Hulme	C. C. Peck	Valentine
Converse	Hurd	D. C. Peck	Wadsworth
Cormack	Jones	Peek	Wakely
Cosad	Keator	Piper	Waring
Crandall	Keegan	Pool	Wemple
Crowley	Kellogg	Prescott	Wheeler
Curran	Kern	Proper	Wilbor
Daly	King	Purdy	Willers
Day	Loveland	Reynolds	Williams
Douglass	Lowing	Roberts	Willis
Fish	Mattison	Rowland	Winch
Fitzgerald	McDonough	Sawyer	Worth
Floyd-Jones	Mead		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. I. I. Hayes introduced a bill entitled "An act to confer certain powers upon the Association for the Extension and Protection of the Reformed Protestant Dutch Church in America," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Daly introduced a bill entitled "An act in relation to the commissioners of excise of cities, requiring them to give bonds and deposit moneys," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee on the judiciary, when appointed.

Mr. McDonough introduced a bill entitled "An act to amend, consolidate and reduce to one act the various acts relative to common schools of the city of New York, passed July 3, 1851, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education, when appointed.

Mr. Seebacher introduced a bill entitled "An act regulating the sale of leaf tobacco in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures, when appointed.

Mr. Prescott introduced a bill entitled "An act to provide for the payment by counties of the expenses of proceedings before the Governor for the removal of county officers and notaries public upon charges preferred against them," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

Mr. Mattison introduced a bill entitled "An act entitled an act to incorporate Albion Lodge, No. 67, of the Ancient Order of United Workmen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies, when appointed.

Mr. North introduced a bill entitled "An act to establish uniformity of text-books in the common schools of this State, and to make them free of copyright in their publication and use by the people of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education, when appointed.

Mr. Brooks introduced a bill entitled "An act to authorize the survey of Staten Island, Richmond county, to ascertain and establish the location and boundaries of certain grants of land therein made by the government of Great Britain," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means, when appointed.

Mr. Neilson introduced a bill entitled "An act establishing the New York Agricultural Experiment Station," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on agriculture, when appointed.

Mr. Keegan introduced a bill entitled "An act to regulate the rate of foot passenger ferriage across the East river, from the foot of East Thirty-fourth street, New York city, and Borden avenue, Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation, when appointed.

Also, a bill entitled "An act for the better protection of policy-holders of life insurance companies doing business in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance, when appointed.

Mr. Griggs presented the petition of H. B. Russell, relative to the passage of an act for the payment of certain moneys out of the State treasury; which was read and referred to the committee on ways and means, when appointed.

Mr. Brooks presented a petition, for a survey on Staten Island; which was read and referred to the committee on ways and means, when appointed.

Mr. Deyoe presented a petition of the board of supervisors of Saratoga county, in favor of reduction of the salaries of county judge and surrogate; which was read and referred to the committee on the judiciary, when appointed.

Mr. Fish offered for the consideration of the House resolutions, in the words following:

Resolved, That the Clerk be and he is hereby directed to cause all bills containing amendments to existing laws, to be so printed that such amendments shall appear in italics.

Resolved, That committees to which amendatory bills are referred be requested, in reporting them, to make the titles conform to the following form: "An act to amend chapter—of the Laws of—, entitled 'An act, etc.'"

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Skinner offered for the consideration of the House a resolution, in the words following:

Whereas, A vacancy having occurred in the office of Canal Commissioner, by the expiration of the term of office of the Hon. Adin Thayer, and no election having been held to fill the same; and

Whereas, By chapter 360 of the Laws of 1847, the power and duty of filling such vacancy devolve upon the Legislature; therefore,

Resolved (if the Senate concur), That the Senate and Assembly meet in joint session on Thursday, January 17th, at 12 o'clock M, for the purpose of electing a canal commissioner to fill such vacancy.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

Whereas, The immense amount of express matter and documents sent from the Assembly, which has to be weighed and stamped each day, renders it necessary to have extra assistance, for the purpose of taking prompt and proper care of the document, mail and express matter of the Assembly.

Resolved, That Reuben L. Fox be and is hereby appointed superintendent of the express matter and mailing of documents for the present session, and William N. Haskell, assistant superintendent of express matter and mailing of documents for the present session, and that each of them receive the same compensation now by law authorized and paid to the assistant postmaster of the Assembly for the session of 1878; and that Charles L. Keyes be and he is hereby appointed messenger for the room used for express matter and the mailing of documents; and that he receive the same compensation now by law authorized and paid to the general messengers of the Assembly for the session of 1878, and that each of said compensations be paid in the same manner that other officers of the Assembly are paid.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Thain offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on banks, when appointed, be instructed to inquire into, and report within thirty days, upon the affairs and management of the late Loaners' Bank of the city of New York, and that such committee also report what legislation or other proceeding, if any, may be necessary to secure and enforce the rights of depositors, and of other persons that have had dealings with said bank, or with the officers thereof as such.

Said resolutions giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Holahan called from the table a resolution previously offered by him, in the words following:

Whereas, The Court of Appeals has declared that the conditions under

which licenses to sell spirits in small quantities may be granted, are those required by the law of 1857; and

Whereas, Such conclusion is contrary to the construction under which the officials administering the law have acted; and

Whereas, The doubt was due to their being too many laws on the subject in force at the same time; and

Whereas, The Legislature is bound to make its enactments explicit and easy to be understood; therefore, be it

Resolved, That the committee on internal affairs report to this House within ten days after its appointment, a just and equitable law regulating the sale of spirituous and fermented liquors.

Mr. Gilbert moved to refer said resolution to the committee on internal affairs, when appointed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bergen offered for the consideration of the House a resolution, in the words following:

Resolved, That the papers on file, relative to an act to amend chapter 861 of the Laws of 1869, entitled "An act to lay out and improve a public highway or avenue from Prospect Park, in the city of Brooklyn, towards Coney Island, in the county of Kings," be taken therefrom, and referred to the committee on affairs of cities, when appointed.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Astor offered for the consideration of the House a resolution, in the words following:

Resolved, That 1,000 extra copies of the Adjutant General's report be printed and bound for the use of the Adjutant General's department.

Ordered, That said resolution be referred to the committee on public printing.

Indefinite leave of absence was granted to Mr. Willers, on account of sickness in his family.

By unanimous consent,

Mr. Crowley introduced a bill entitled "An act to incorporate the Buffalo Pipe Line Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, when appointed.

By unanimous consent,

Mr. Langner introduced a bill entitled "An act to amend section 3 of chapter 564 of the Laws of 1875, entitled 'An act to amend chapter 122 of the Laws of 1851, entitled An act for the incorporation of building, mutual, loan and accumulating fund associations,' passed June 9, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures, when appointed.

On motion of Mr. Alvord, at 11 o'clock and 55 minutes the House adjourned.

THURSDAY, JANUARY 10, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

Mr. Speaker stated that the journal clerk had informed him that a clerical error had been made in Wednesday's journal, by inserting the word "constitution," instead of the word "construction," in the resolution offered by Mr. Holahan, in reference to the excise law, and asked unanimous consent that the journal be corrected.

There being no objection, the journal was corrected and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following :

Resolved (if the Assembly concur), That the joint rules of the last Legislature be the joint rules for the present session until otherwise ordered, and that the same be referred to the committee on rules of each house for revision.

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows :

"An act to legalize certain proceedings of the board of supervisors of the county of Saratoga."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented the annual report of the Canal Commissioners; which was laid on the table and ordered printed.

(*See Doc. No. 12.*)

Mr. Speaker presented the annual report of the Superintendent of the Bank Department; which was laid on the table and ordered printed.

(*See Doc. No. 5.*)

Mr. Speaker announced the following standing committees :

Ways and Means.

Mr. Alvord, of Onondaga;
Graham, of Orange;
I. I. Hayes, of New York;
Hepburn, of St. Lawrence;
D. C. Peck, of Oswego;

Mr. Wadsworth, of Livingston;
Brooks, of Richmond;
J. Hayes, of New York;
Halliday, of Tompkins.

Judiciary.

Mr. Gilbert, of Franklin;
Kern, of Madison;
Graham, of Orange;
Abbott, of Warren;
Sewell, of Delaware;

Mr. Andrews, of Broome;
Piper, of Niagara;
Bergen, of Kings;
Allen, of Erie.

General Laws.

- | | |
|---------------------------|--------------------------|
| Mr. Graham, of Orange ; | Mr. Niven, of Sullivan ; |
| Griggs, of Albany ; | Purdy, of Westchester ; |
| Williams, of Chautauqua ; | Nelson, of Rockland ; |
| Hobbie, of Monroe ; | C. C. Peck, of Greene. |
| Winch, of Ontario ; | |

Canals.

- | | |
|--------------------------------|----------------------------|
| Mr. I. I. Hayes, of New York ; | Mr. Sheard, of Herkimer ; |
| Case, of Oswego ; | Bouck, of Schoharie ; |
| Hurd, of Erie ; | Willers, of Seneca ; |
| Terry, of Washington ; | J. T. Taylor, of New York. |
| Sheldon, of Lewis ; | |

Affairs of Cities.

- | | |
|----------------------------|-----------------------------|
| Mr. Fish, of Putnam ; | Mr. Skinner, of Jefferson ; |
| I. I. Hayes, of New York ; | Brooks, of Richmond ; |
| Waring, of Kings ; | Daly, of New York ; |
| Astor, of New York ; | Holahan, of New York. |
| Worth, of Kings ; | |

Railroads.

- | | |
|--------------------------------|---------------------------|
| Mr. Prescott, of Oneida ; | Mr. Chappell, of Monroe ; |
| Wheeler, of Dutchess ; | Wemple, of Montgomery ; |
| Chase, of Otsego ; | Moller, of Westchester ; |
| Alvord, of Onondaga ; | Baker, of New York. |
| Peek, of Fulton and Hamilton ; | |

Commerce and Navigation.

- | | |
|-------------------------|-------------------------|
| Mr. Worth, of Kings ; | Mr. Story, of Albany ; |
| Mekeel, of Schuylers ; | Day, of Erie ; |
| Parker, of Chautauqua ; | Shanley, of Kings ; |
| Mooers, of Clinton ; | Patterson, of New York. |
| North, of Oswego ; | |

Insurance.

- | | |
|--------------------------------|--------------------------------|
| Mr. Hepburn, of St. Lawrence ; | Mr. I. I. Hayes, of New York ; |
| Waring, of Kings ; | Floyd-Jones, of Queens ; |
| Berry, of Chenango ; | Keegan, of Queens ; |
| Clapp, of Essex ; | Cormack, of Delaware. |
| Hurd, of Erie ; | |

Banks.

- | | |
|--------------------------|-------------------------|
| Mr. Clapp, of Essex ; | Mr. Keator, of Ulster ; |
| Sawyer, of Tioga ; | Galvin, of New York ; |
| Case, of Oswego ; | Kellogg, of Cortland ; |
| Sutherland, of Steuben ; | Douglass, of Kings. |
| Crandall, of Madison ; | |

Internal Affairs.

- | | |
|---------------------------|-----------------------------|
| Mr. Valentine, of Wayne ; | Mr. E. Taylor, of Genesee ; |
| Mooers, of Clinton ; | Langner, of Erie ; |
| Foster, of Albany ; | Seebacher, of New York ; |
| Mattison, of Orleans ; | Floyd-Jones, of Queens. |
| Skinner, of Jefferson ; | |

Affairs of Villages.

Mr. E. Taylor, of Genesee ;	Mr. Lowing, of Wyoming ;
Deyoe, of Saratoga ;	Converse, of Cayuga ;
Holbrook, of Onondaga ;	Wemple, of Montgomery ;
Palmer, of St. Lawrence ;	Proper, of Columbia.
Jones, of Oneida ;	

Roads and Bridges.

Mr. Williams, of Chautauqua ;	Mr. Wilbor, of Columbia ;
Brundage, of Steuben ;	Cosad, of Ontario ;
J. M. Clark, of Yates ;	Crowley, of Erie ;
S. V. R. Miller, of Rensselaer ;	Havens, of Suffolk.
Rowland, of St. Lawrence ;	

Public Printing.

Mr. Skinner, of Jefferson ;	Mr. Roberts, of Oneida ;
Berry, of Chenango ;	Neilson, of Saratoga ;
Wakely, of Allegany ;	Browning, of New York ;
J. H. Miller, of Wayne ;	Curran, of Albany.
Reynolds, of Washington ;	

Public Health.

Mr. King, of Cattaraugus ;	Mr. Langner, of Erie ;
Pool, of Cattaraugus ;	Grady, of New York ;
Keater, of Ulster ;	J. F. Taylor, of New York ;
S. V. R. Miller, of Rensselaer ;	Beard, of Chemung.
North, of Oswego ;	

Charitable and Religious Societies.

Mr. Mekeel, of Schuyler ;	Mr. Grady, of New York ;
J. M. Clark, of Yates ;	Flynn, of Kings ;
Lowing, of Wyoming ;	Thain, of New York ;
Sheldon, of Lewis ;	Mead, of Schenectady.
Waring, of Kings ;	

Public Education.

Mr. D. W. C. Peck, of Oswego ;	Mr. Flynn, of Kings ;
Reynolds, of Washington ;	Browning, of New York ;
Sewell, of Delaware.	Beard, of Chemung ;
Sawyer, of Tioga ;	Cormack, of Delaware.
Noyes, of Cayuga ;	

Militia.

Mr. Astor, of New York ;	Mr. Meyenborg, of Kings ;
Andrews, of Broome ;	Willers, of Seneca ;
Chappell, of Monroe ;	Henry, of Kings ;
Foster, of Albany ;	Browning, of New York.
Mattison, of Orleans ;	

Claims.

Mr. Crandall, of Madison ;	Mr. Crowley, of Erie ;
Deyoe, of Saratoga ;	Bath, of New York ;
Hobbie, of Monroe ;	Berrigan, of New York ;
Holbrook, of Onondaga ;	Bergen, of Kings.
Hurd, of Erie ;	

Federal Relations.

- | | |
|-------------------------|-----------------------------|
| Mr. Abbott, of Warren ; | Mr. Pattengill, of Otsego ; |
| Story, of Albany ; | Allen, of Erie ; |
| Hulme, of Dutchess ; | Baker, of New York ; |
| Hoyt, of Orange ; | Bouck, of Schoharie. |
| Kern, of Madison ; | |

Game Laws.

- | | |
|---------------------------|-----------------------------|
| Mr. Case, of Oswego ; | Mr. Thomson, of Jefferson ; |
| Palmer, of St. Lawrence ; | Havens, of Suffolk ; |
| Sutherland, of Steuben ; | Crawford, of New York ; |
| J. H. Miller, of Wayne ; | |

State Prisons.

- | | |
|--------------------------|-----------------------|
| Mr. Mooers, of Clinton ; | Mr. Hoyt, of Orange ; |
| Wakely, of Allegany ; | Niven, of Sullivan ; |
| Griggs, of Albany ; | Galvin, of New York. |
| Noyes, of Cayuga ; | |

State Charitable Institutions.

- | | |
|--------------------------------|----------------------------|
| Mr. Noyes, of Cayuga ; | Mr. Burns, of Rensselaer ; |
| Deyoe, of Saratoga ; | J. Clark, of New York ; |
| Hulme, of Dutchess ; | Fitzgerald, of New York. |
| Peek, of Fulton and Hamilton ; | |

Civil Divisions.

- | | |
|---------------------------|---------------------------|
| Mr. North, of Oswego ; | Mr. Townsley, of Oneida ; |
| Williams, of Chautauqua ; | Sliter, of Rensselaer ; |
| Valentine, of Wayne ; | Searing, of Ulster. |
| Sutherland, of Steuben ; | |

Trade and Manufactures.

- | | |
|---------------------------|-------------------------|
| Mr. Sheard, of Herkimer ; | Mr. Mapes, of Monroe ; |
| Reynolds, of Washington ; | Crawford, of New York ; |
| Jones, of Oneida ; | Burns, of Rensselaer. |
| Chappell, of Monroe ; | |

Manufacture of Salt.

- | | |
|---------------------------|-----------------------------|
| Mr. Wakely, of Allegany ; | Mr. Thomson, of Jefferson ; |
| Willis, of Onondaga ; | Sliter, of Rensselaer ; |
| E. Taylor, of Genesee ; | Pattengill, of Otsego. |
| Winch, of Ontario ; | |

Public Lands.

- | | |
|-------------------------|---------------------------|
| Mr. Winch, of Ontario ; | Mr. Hamilton, of Ulster ; |
| J. M. Clark, of Yates ; | Loveland, of Niagara ; |
| Abbott, of Warren ; | Mapes, of Monroe. |
| Clapp, of Essex ; | |

Agriculture.

- | | |
|--------------------------------|----------------------------|
| Mr. Wadsworth, of Livingston ; | Mr. Kellogg, of Cortland ; |
| Brundage, of Steuben ; | Loveland, of Niagara ; |
| Holbrook, of Onondaga ; | Roberts, of Oneida. |
| Wilbor, of Columbia ; | |

Indian Affairs.

- | | |
|----------------------------|-------------------------|
| Mr. Pool, of Cattaraugus ; | Mr. Bath, of New York ; |
| Willis, of Onondaga ; | Day, of Erie ; |
| Hobbie, of Monroe ; | Hamilton, of Ulster. |
| Griggs, of Albany ; | |

Petitions of Aliens.

- | | |
|-----------------------------|-----------------------------|
| Mr. Parker, of Chautauqua ; | Mr. Berrigan, of New York ; |
| Story, of Albany ; | J. Clark, of New York ; |
| Mattison, of Orleans ; | Clancy, of Kings. |
| Lowling, of Wyoming ; | |

Two-thirds and Three-fifths Bills.

- | | |
|----------------------------------|--------------------------|
| Mr. Sawyer, of Tioga ; | Mr. Daly, of New York ; |
| Foster, of Albany ; | Douglass, of Kings ; |
| Andrews, of Broome ; | Fitzgerald, of New York. |
| S. V. R. Miller, of Rensselaer ; | |

Engrossed Bills.

- | | |
|--------------------------------|-----------------------------|
| Mr. Sewell, of Delaware ; | Mr. Purdy, of Westchester ; |
| Gilbert, of Franklin ; | Townsley, of Oneida , |
| Sheldon, of Lewis ; | Curran, of Albany. |
| Peek, of Fulton and Hamilton ; | |

Grievances.

- | | |
|------------------------------|---------------------------|
| Mr. J. H. Miller, of Wayne ; | Mr. Strack, of New York ; |
| Mekeel, of Schuyler ; | Frank, of New York ; |
| King, of Cattaraugus ; | J. Hayes, of New York. |
| Valentine, of Wayne ; | |

Expenditures of the House.

- | | |
|----------------------------|---------------------------|
| Mr. Chase, of Otsego ; | Mr. Converse, of Cayuga ; |
| Wadsworth, of Livingston ; | Clancy, of Kings ; |
| Astor, of New York ; | Frank, of New York. |
| Terry, of Washington ; | |

Expenditures of the Executive Department.

- | | |
|---------------------------|------------------------------|
| Mr. Keator, of Ulster ; | Mr. Moller, of Westchester ; |
| Sheldon, of Lewis ; | C. C. Peck, of Greene ; |
| Palmer, of St. Lawrence ; | Seebacher, of New York. |
| Parker, of Chautauqua ; | |

Rules.

- | | |
|----------------------------|---------------------------|
| Mr. Graham, of Orange ; | Mr. Nelson, of Rockland ; |
| Alvord, of Onondaga ; | Brooks, of Richmond. |
| Hepburn, of St. Lawrence ; | |

Joint Library.

- | | |
|----------------------------|--------------------------|
| Mr. Wheeler, of Dutchess ; | Mr. Thain, of New York ; |
| Gilbert, of Franklin ; | Meyenborg, of Kings. |
| Chase, of Otsego ; | |

Sub-Committee of the Whole.

Mr. Berry, of Chenango ;
 Fitzgerald, of New York ;
 McDonough, of New York ;
 Shanley, of Kings ;
 Henry, of Kings ;
 Proper, of Columbia ;
 Searing, of Ulster ;
 Neilson, of Saratoga ;

Mr. Rowland, of St. Lawrence ;
 Willis, of Onondaga ;
 Jones, of Oneida ;
 Crandall, of Madison ;
 J. M. Clark, of Yates ;
 Brundage, of Steuben ;
 Wakely, of Allegany ;
 Williams, of Chautauqua.

Apportionment.

Mr. Alvord, of Onondaga ;
 Fish, of Putnam ;
 Skinner, of Jefferson ;
 Hepburn, of St. Lawrence ;
 D. C. Peck, of Oswego ;
 King, of Cattaraugus ;

Mr. Wilbor, of Columbia ;
 Halliday, of Tompkins ;
 Grady, of New York ;
 Day, of Erie ;
 Clancy, of Kings.

Mr. Speaker announced the following appointments :

Assistant Sergeant-at-Arms—Angus G. Boyd.

Postmaster—John W. Shelley.

Assistant Postmaster—Mills C. Blackstone.

Superintendent of Documents—Smith O'Brien.

Janitor—Charles Lightfoot.

Assistant Janitor—Edcombe M. Getty.

Mail Carrier—Charles Corey.

Doorkeepers—James Johnson, William H. Waldron, Stephen A. Smith, Gilbert J. Dutcher, Asa Dolen, Frank C. Timmerlin, Edward H. Talbot.

Speaker's Messenger—George Hudson.

General Messengers—Herman Mibezahl, Howard Roberts, Joseph A. Ferguson, John W. Dozer, Wallace R. Hallenbeck, Louis Lenz.

Pages, first half of session—George H. McNally, Charles L. Fosdick, John W. Hughes, William J. Crehan, Charles McManus, Frank Hull, Gilbert Schwarzman, George B. Wing, H. B. Moss, Israel K. Graham, Edward Rouse, William H. Patrick, John H. Campbell, Jr., Walter Barry, Arthur Muddie, Henry Johnson, Edward Berry, Nathan Livingston, Orville J. Hogan, Charles D. Chase.

Pages, last half of session—Ernest Grout, Charles Baer, Jeremiah McGraw, John Rice, Frederick R. Winne, Patrick Sinclair, William Stewart, Lester L. Brightman, William H. Klugman, William Glenning, Charles Cullen, William Beresford, James F. Murray, Daniel E. Ryan, David Freisch, James Sickles, Charles W. Bentley, George Richardson, Frederick Ewing, Thomas Fleming.

Mr. Speaker announced the following appointments by the Clerk :

Assistant Clerk — Samuel P. Allen.

Journal Clerk — William H. Barker.

Deputy Clerks — Henry E. Abell, Theodore Z. Root, Lorenzo R. Locke, John W. Kiernan, Alexander D. Dunbar, James A. Cheney, George M. Bullock, Ira L. C. Lockwood, George D. Haskell.

Librarian — John C. Paulding.

Assistant Librarian — James O. Cole.

Bank Messenger — James H. Manville.

Clerk's Messengers — Frederick W. Ames, E. A. Spaulding, William A. W. Wolff.

The oath of office was then administered to James Johnson, Stephen H. Smith, Gilbert J. Dutcher, Frank C. Timmerlin and Edward H. Talbot, as doorkeepers; Mills C. Blockstone, as assistant postmaster; Smith O'Brien, as superintendent of documents; Charles Lightfoot, as janitor; Edcombe M. Getty, as assistant janitor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Whereas, Notice has been received that vacancies have occurred in the Board of Regents of the University of the State of New York, by reason of the decease of John V. L. Pruyn and the resignation of John A. Dix; therefore,

Resolved (if the Assembly concur), That the Legislature meet in joint session on Wednesday, the sixteenth day of January, inst., at 12 o'clock noon, for the purpose of electing Regents of the University in the place of John V. L. Pruyn, deceased, and John A. Dix, resigned.

By unanimous consent,

Mr. Alvord moved to amend said resolution by striking out the words "Wednesday, January sixteenth," and inserting in lieu thereof the words "Thursday, seventeenth."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same, with an amendment.

Mr. Speaker presented the annual report of the State Board of Audit, which was laid on the table and ordered printed.

(*See Doc. No. 15.*)

Mr. Speaker presented the third annual report and documents of the Central New York Institution for Deaf Mutes, which was laid on the table and ordered printed.

(*See Doc. No. 13.*)

Mr. Speaker presented the seventh annual report of the Le Conteulx St. Mary's Institution for the Instruction of Deaf Mutes, which was laid on the table and ordered printed.

(*See Doc. No. 14.*)

Mr. Kern introduced a bill entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and repeal its present charter,' and to repeal chapter 250 of the Laws of 1870, chapter 18, of the Laws of 1874, and chapter 142 of the Laws of 1875, as amended by chapter 166 of the Laws of 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Skinner introduced a bill entitled "An act to legalize and confirm the official acts of James Monroe, a justice of the peace of the town of Worth, in the county of Jefferson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Daly introduced a bill entitled "An act to amend chapter 477 of the Laws of 1875, entitled 'An act to amend an act entitled An act to provide a further supply of pure and wholesome water for the city of New York, passed February 27, 1871,' and also 'An act to re-enact and

amend the same, passed April 6, 1871,' also to extend the distribution of Croton water the city of New York, including the two new wards, and to lay the necessary mains therefor, and to deliver it at higher elevation, passed May, 28, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend an act to provide for a uniform system for the repavement of streets, avenues and public places in the city of New York, passed May 28, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Prescott introduced a bill entitled "An act to repeal chapters 448 and 449 of the Laws of 1876, and chapters 318 and 417 of the Laws of 1877, being the acts constituting and known as the Code of Remedial Justice and Code of Civil Procedure as therein and thereby enacted, and to revive and restore the Code of Civil Procedure and laws as they theretofore existed," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord introduced a bill entitled "An act to amend section 5 of chapter 473 of the Laws of 1877, entitled 'An act to provide for the determination and payment of claims for goods, merchandise and materials furnished, and labor performed, in fitting up and furnishing armories and drill-rooms in the city of New York,' passed June 22, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Deyoe introduced a bill entitled "An act to empower Greenfield Centre Lodge, No. 308 of the I. O. O. F. of the State of New York, and county of Saratoga, to hold and convey real and personal estate, and constitute the same a corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Moller introduced a bill entitled "An act in relation to the keeping open of certain public offices in the county of Westchester," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bergen introduced a bill entitled "An act authorizing the appointment of a person to perform clerical duties, etc., in the Supreme Court in Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Waring introduced a bill entitled "An act to repeal an act entitled 'An act relating to Queens County Railroad Company,' passed April 19, 1871, and to repeal the first section of an act entitled 'An act relating to Queens County Railway Company,' passed May 10, 1873," which was read the first time, and by unanimous consent was also read the second time.

Mr. Waring moved that said bill be referred to the committee on affairs of cities.

Mr. Floyd-Jones moved to amend by striking out the words "affairs of cities," and inserting in lieu thereof the word "judiciary."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Floyd-Jones, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Waring, and it was determined in the negative.

Said bill was referred to the committee on railroads.

Mr. Alvord introduced a bill entitled "An act to repeal a certain portion of chapter 193 of the Laws of 1877, entitled 'An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. I. I. Hayes introduced a bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Waring presented a petition for the repeal of the act incorporating the Queens county railroad; which was read and referred to the committee on railroads.

Mr. Neilson presented a resolution of the board of supervisors of Saratoga county, in favor of a reduction of the salaries of county judge and surrogate; which was read and referred to the committee on the judiciary.

Mr. Hepburn offered for the consideration of the House a resolution, in the words following:

Whereas, The duties of the superintendent of documents, comprising among others, the filing and indexing of all bills and documents, and a constant attendance at the document room, of from twelve to fifteen hours each day, as well as answering of almost incessant calls of members, committees and clerks of the House, render more help necessary for their faithful performance; therefore,

Resolved, That Ezra Parmelee, Jr. be and he hereby is appointed assistant superintendent of documents, with the same compensation as the superintendent, and paid in the same manner.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Brooks offered for the consideration of the House a resolution, in the words following:

Resolved, That the Speaker of the House be requested to designate from the thirty assistants, mail carriers, doorkeepers and messengers, now authorized by law, one, two or more persons to take charge of the express and mail matter sent to the members of the Assembly, with a view to its prompt distribution when received.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Skinner called from the table a resolution previously offered by him, in the words following:

Resolved (if the Senate concur), That it is the sense of the Legislature of the State of New York, that the good faith of the nation is pledged to the redemption of the coin obligations of the government in gold or its full equivalent; that any violation of the public faith would be injurious to the public credit and hurtful to the good name of our country; that a new debasement of the currency would unsettle business, disorganize industry, injure labor, indefinitely postpone the resump-

tion of specie payments, and thus defeat the early restoration of general prosperity ; and that, therefore, the enactment of what is known as the Bland silver bill by the Congress of the United States, or of any measure calculated to embarrass or prevent resumption within the time fixed by law, would be a grave public calamity.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

} AYES 105 }
 } NOES 17 }

Those who voted in the affirmative, were

Abbott	Fitzgerald	Mattison	Searing
Allen	Floyd-Jones	McDonough	Seebacher
Alvord	Flynn	Mead	Sewell
Andrews	Foster	Mekeel	Sheard
Astor	Frank	J. H. Miller	Sheldon
Baker	Gilbert	S. V. R. Miller	Skinner
Bath	Grady	Moller	Speaker
Berrigan	Graham	Mooers	Story
Berry	Griggs	Neilson	Strack
Bouck	Halliday	Niven	Sutherland
Brooks	I. I. Hayes	North	E. Taylor
Browning	Henry	Noyes	J. T. Taylor
Brundage	Hepburn	Palmer	Terry
Case	Hobbie	Parker	Thain
Chappell	Holahan	Pattengill	Thomson
Chase	Holbrook	Patterson	Valentine
Clapp	Hoyt	C. C. Peck	Wadsworth
J. M. Clark	Hulme	D. C. Peck	Wakely
Cormack	Hurd	Peek	Waring
Crandall	Keator	Piper	Wemple
Crawford	Keegan	Pool	Wheeler
Crowley	Kellogg	Prescott	Wilbor
Curran	Kern	Purdy	Williams
Daly	King	Reynolds	Willis
Day	Langner	Rowland	Winch
Deyoe	Lowing	Sawyer	Worth
Fish			

Those who voted in the negative, were

Beard	Douglass	Jones	Nelson
Bergen	Galvin	Loveland	Proper
Burns	Hamilton	Mapes	Roberts
Converse	J. Hayes	Meyenborg	Shanley
Cosad			

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

When the name of Mr. Thain was called, he asked to be, and was not, excused from voting.

Mr. Terry offered for the consideration of the House a resolution, in the words following :

Whereas, Much testimony must necessarily be taken by the committee on privileges and elections, in the cases of contested seats referred to them ; therefore,

Resolved, That said committee be authorized to employ Frederick Carman as stenographer for the committee, who shall be paid for his services, including the making of one copy in a plain hand, of the minutes and proceedings of the committee, the sum of fifteen cents per folio.

Resolved, That said committee be authorized to sit during the sessions of the House, if they shall deem it necessary to do so.

Resolved, That the said committee be authorized to procure the evidence and proceedings taken before them to be printed daily.

Resolved, That the said committee be authorized to proceed to the city of New York, and there hold sessions, and take testimony in the said cases of contested seats.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 96 }
{ NOES 3 }

Those who voted in the affirmative, were

Abbott	Day	Loveland	Reynolds
Allen	Fish	Lowing	Roberts
Alvord	Fitzgerald	Mattison	Rowland
Andrews	Floyd-Jones	McDonough	Sawyer
Astor	Flynn	Mead	Searing
Baker	Foster	Mekeel	Sewell
Bath	Gilbert	J. H. Miller	Shanley
Beard	Grady	S. V. R. Miller	Sheard
Berrigan	Graham	Mooers	Sheldon
Berry	Halliday	Neilson	Skinner
Bouck	Hamilton	Niven	Sutherland
Browning	Hepburn	North	E. Taylor
Brundage	Hobbie	Noyes	J. T. Taylor
Case	Holahan	Palmer	Terry
Chappell	Holbrook	Parker	Thain
Chase	Hoyt	Pattengill	Valentine
Clapp	Hulme	Patterson	Wadsworth
J. M. Clark	Hurd	C. C. Peck	Wakely
Converse	Jones	D. C. Peck	Waring†
Cormack	Keegan	Peek	Wemple
Cosad	Kellogg	Piper	Wheeler
Crandall	Kern	Pool	Wilbor
Curran	King	Prescott	Williams
Daly	Langner	Purdy	Willis

Those who voted in the negative, were

Nelson	Story	Thomson
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Indefinite leave of absence was granted to Mr. J. Clark.

Mr. Wadsworth offered for the consideration of the House a resolution, in the words following :

Resolved, That the use of the Assembly Chamber be granted to the New York State Agricultural Society, on Wednesday, the sixteenth, inst., at 12 o'clock M, for an afternoon and evening session.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The privileges of the floor were granted to the Hon. D. B. Hill.

On motion of Mr. Fish, at 12 o'clock and 15 minutes, the House adjourned.

FRIDAY, JANUARY 11, 1878.

The House met pursuance to adjournment.

Prayer by Rev. Dr. Magee.

The journal of yesterday was read and approved.

(Mr. Alvord in the chair.)

Mr. Kellogg introduced a bill entitled "An act to amend an act entitled 'An act to establish specie payments on all contracts or obligations payable in this State in dollars, and made after January 1, 1879,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means

Also, a bill entitled "An act in relation to the trial of criminals, and the appointment and payment of counsel designated by the court for conducting their defense," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee on the judiciary.

Mr. Cormack introduced a bill entitled "An act to suppress intemperance, pauperism and crime, and to regulate the sale of intoxicating distilled and fermented liquors in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Worth introduced a bill entitled "An act to create a board of pharmacy, and to regulate the sale of medicine in Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Waring introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. I. I. Hayes introduced a bill entitled "An act transferring the duties of commissioner of jurors to the clerk of the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act relating to the coroners of the city and county of New York, their duties and compensation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Seebacher introduced a bill entitled "An act to amend an act of the Legislature of the State of New York, entitled 'An act for the further protection of female employes in the city of New York,' passed April 22, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Chase introduced a bill entitled "An act to authorize the town of

Richfield, in the county of Otsego, to refund the funded debt," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Keator introduced a bill entitled "An act in relation to the Kingsbridge road, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Wakely introduced a bill entitled "An act to repeal section 1 of chapter 463 of the Laws of 1873, entitled 'An act to amend section 14 of chapter 744 of the Laws of 1867, entitled An act to define the objects of the New York State Institution for the Blind, and to provide for its management,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

Mr. Waring introduced a bill entitled "An act confirming certain powers on the clerk of the surrogate's court of the county of Kings," which was read the first time, and by unanimous consent was also read the second time, when,

On motion of Mr. Waring, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Curran	Mapes	Roberts
Allen	Daly	Mattison	Rowland
Alvord	Day	McDonough	Sawyer
Andrews	Douglass	Mead	Searing
Astor	Fish	Mekeel	Seebacher
Baker	Fitzgerald	J. H. Miller	Sewell
Bath	Floyd-Jones	S. V. R. Miller	Shanley
Beard	Frank	Mooers	Sheard
Bergen	Gilbert	Meyenborg	Sheldon
Berrigan	Grady	Neilson	Skinner
Berry	Griggs	Niven	Strack
Buck	Henry	North	Sutherland
Brooks	Hepburn	Noyes	E. Taylor
Browning	Hobbie	Palmer	Terry
Brundage	Holbrook	Parker	Thain
Case	Hoyt	Pattengill	Thomson
Chappell	Hulme	Patterson	Wadsworth
Chase	Hurd	C. C. Peck	Wakely
Clancy	Jones	D. C. Peck	Waring
Clapp	Keator	Peck	Wemple
J. M. Clark	Kellogg	Piper	Wheeler
Converse	Kern	Pool	Wilbor
Cormack	King	Prescott	Willis
Cosad	Langner	Proper	Winch
Crandall	Loveland	Reynolds	Worth
Crawford	Lowing		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Douglass introduced a bill entitled "An act to repeal chapter 625 of the Laws of 1875, entitled 'An act in relation to courts of record in the city and county of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act authorizing the taxation of stockholders of banks, and the surplus funds of savings banks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. D. C. Peck introduced a bill entitled "An act in relation to noxious weeds and brush in public highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Alvord introduced a bill entitled "An act to amend chapter 220 of the Laws of 1862, entitled 'An act to reorganize the State Asylum for Idiots, and to provide for the government and management thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Mekeel presented a petition of Jerome Rowe and others, in regard to the judiciary of the State, which was read and referred to the committee on the judiciary.

Mr. Seebacher presented a petition for the passage of an act releasing certain interests to Catharine Ringler; which was read and referred to the committee on petitions of aliens.

Mr. Reynolds presented a petition of W. R. De Ganno and others, of the village of Fort Miller, Washington county, that there be no amendments to the present license law; which was read and referred to the committee on internal affairs.

Mr. Speaker administered the oath of office to Angus G. Boyd.

(Mr. Speaker in the chair.)

By unanimous consent,

Mr. Chase, from the committee on expenditures of the House, to which was referred the resolution relative to the appointment of a superintendent, assistant superintendent and messenger of the express matter, and the mailing of documents, reported in favor of the adoption of the following resolution:

Whereas, The immense amount of express matter and documents sent from the Assembly, which has to be weighed and stamped each day, renders it necessary to have extra assistance, for the purpose of taking prompt and proper care of the document, mail and express matter of the Assembly.

Resolved, That Reuben L. Fox be and is hereby appointed superintendent of the express matter and mailing of documents for the present session, and William N. Haskell, assistant superintendent of express matter and mailing of documents for the present session, and that each of them receive the same compensation now by law authorized and paid to the assistant postmaster of the Assembly for the session of 1878; and that Charles L. Keyes be and he is hereby appointed messenger for the room used for express matter and the mailing of documents; and that he receive the same compensation now by law authorized and paid to the general messengers of the Assembly for the session of 1878, and that

each of said compensations be paid in the same manner that other officers of the Assembly are paid.

Mr. Brooks moved to postpone the further consideration of said resolution until Tuesday next, at 12 o'clock noon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Graham moved to discharge the committee on internal affairs from the further consideration of the bill entitled "An act to authorize the board of supervisors of Orange county to issue bonds to provide for the payment of certain outstanding certificates of indebtedness of said county," and that said bill be read a third time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 98 {
} NOES 00 {

Those who voted in the affirmative, were

Abbott	Daly	Loveland	Reynolds
Allen	Day	Lowing	Roberts
Alvord	Fish	Mapes	Sawyer
Andrews	Fitzgerald	McDonough	Searing
Astor	Floyd-Jones	Mead	Seebacher
Baker	Foster	Mekeel	Sewell
Bergen	Frank	J. H. Miller	Sheard
Berrigan	Gilbert	S. V. R. Miller	Sheldon
Berry	Grady	Mooers	Skinner
Bouck	Graham	Meyenborg	Strack
Brooks	Griggs	Neilson	Sutherland
Browning	Hamilton	Nelson	E. Taylor
Brundage	I. I. Hayes	Niven	Terry
Case	Henry	North	Thain
Chappell	Hepburn	Noyes	Thomson
Chase	Holbrook	Palmer	Valentine
Clancy	Hoyt	Parker	Wadsworth
Clapp	Hulme	Pattengill	Waring
J. M. Clark	Hurd	Patterson	Wemple
Converse	Jones	D. C. Peck	Wheeler
Cosad	Keator	Peek	Wilbor
Crandall	Keegan	Pool	Willis
Crawford	Kellogg	Prescott	Winch
Crowley	King	Proper	Worth
Curran	Langner		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Grady offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk be requested to invite the clergymen of the

cities of Albany and Troy, in charge of parishes, to open the daily sessions of this Assembly with prayer.

Mr. Alvord moved to amend by striking out the word "Troy."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Gilbert moved to amend by substituting the following:

Resolved, That the Rev. Irving Magee, D. D., be and he is hereby appointed chaplain to the Assembly.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Berry offered for the consideration of the House a resolution, in the words following:

Resolved, That the Speaker and Clerk of the Assembly be empowered and directed to inquire as to the procuring of a suitable building for committee rooms, and report the expense thereof to the ways and means committee.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Terry offered for the consideration of the House a resolution, in the words following:

Whereas, A great amount of testimony must be taken by the committee on privileges and elections; therefore,

Resolved, That the said committee is hereby authorized to cause witnesses to be subpoenaed to appear before them in the several cases of contested seats referred to them, and the said committee is hereby authorized and empowered to send for persons and papers in the said cases.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Governor was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, January 11, 1878. }

To the Legislature:

I transmit herewith to your honorable body the annual pardon report.

L. ROBINSON.

Which was laid on the table and ordered printed.

(See Doc. No. 17.)

Mr. Speaker presented the report of the New Capitol Commissioners for the year 1877, which was laid on the table and ordered printed.

Mr. Alvord moved to take from the table the annual report of the State Board of Audit, and that the same be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the following as the official reporters of the Assembly:

Myron H. Rooker, Associated Press; Alexander McBride, Albany Evening Journal; Daniel S. Lamont, Albany Argus; Frederick W. White, Albany Express; Harry Edwards, Albany Evening Times; R. M. Griffin, Albany Evening Post; Cuthbert Mills, New York Times; Jerome B. Stillson, New York Herald; Edgar L. Murlin, New York

Tribune; Hiram Calkins, New York World; W. H. Bodwell, New York Sun; Hugh J. Hastings, Jr., New York Commercial Advertiser; P. W. Rhodes, New York Express; H. E. Lynch, New York News; Julius Korn, New Yorker Journal; Charles H. Swan, New York Staats Zeitung; T. J. Dyson, Brooklyn Union and Argus; John Cogan, Brooklyn Times; W. C. Hudson, Brooklyn Eagle; Moses Summers, Syracuse Standard; Lyman B. Smith, Buffalo Courier; H. D. Cunningham, Utica Herald; E. M. Allen, Utica Republican.

Mr. Fish moved that when this House adjourns, it be to meet on Monday evening next, at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Langner, at 11 o'clock and 40 minutes, the House adjourned.

MONDAY, JANUARY 14, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of Friday, January 11, was read and approved.

A message from the Senate was received and read informing of concurrence in the amendment of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That the Legislature meet in joint session on Wednesday, the sixteenth day of January, inst., at 12 o'clock noon, for the purpose of electing Regents of the University in the place of John V. L. Pruyn, deceased, and John A. Dix, resigned.

Ordered, That the Clerk return said resolution to the Senate.

Mr. Speaker presented the annual report of the Society for the Reformation of Juvenile Delinquents in the city of New York; which was laid on the table and ordered printed.

(See Doc. No. 23.)

Mr. Meyenborg introduced a bill entitled "An act to confirm, reduce and levy a certain assessment in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Grady introduced a bill entitled "An act to repeal chapter 264 of the Laws of 1866, entitled 'An act to erect the free academy of the city of New York into a college, and to repeal chapter 637 of the Laws of 1866, entitled 'An act in relation to the College of the City of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Astor introduced a bill entitled "An act to provide against the use of unsuitable and dangerous telegraph poles in cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Jones introduced a bill entitled "An act to divide the Third and Seventh wards of the city of Utica, and to create the Eleventh and

Twelfth wards therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord introduced a bill entitled "An act relating to animals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Halliday introduced a bill entitled "An act to amend section 1 of an act passed March 7, 1872, entitled 'An act to amend an act passed March 23, 1850, entitled 'An act for the protection of purchasers of real estate upon sales by order of surrogates,' passed April 20, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend an act entitled 'An act for the protection of purchasers of real estate upon sales made by order of surrogates,' passed March 23, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Alvord, and by unanimous consent, the committee on trade and manufactures was discharged from the further reconsideration of the bill entitled "An act to amend an act of the Legislature of the State of New York, entitled 'An act for the further protection of female employes in the city of New York,'" and the same was referred to the committee on the judiciary.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

Resolved, That Edward P. Fancher be appointed clerk, and John A. P. Shumway messenger of the committee on apportionment, with the same mileage and per diem pay as the clerk and messenger of the committee on ways and means.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Browning offered for the consideration of the House a resolution, in the words following:

Whereas, The combination recently reported in the daily press as having been entered into by the railroad and coal interest, for the avowed purpose of limiting the supply of coal, and thereby greatly increasing the price thereof to consumers, which embraces one or more railway or other corporations acting and operating under franchises granted by this State; therefore,

Resolved, That the committee on railroads be, and it is hereby directed to investigate and inquire into the merits, intent and purposes of what is known as the coal combination, and if it shall appear that any railway or other chartered corporation, protected by the laws of this State, has violated any of its granted rights and privileges, by forming a part of, or participating in said combination, the committee is directed to report within twenty days, by bill or otherwise, some action for the consideration of this Assembly which will compel such railway or other chartered corporation to respect and obey the laws under which they are protected; and, for the purposes herein mentioned, the committee on railroads is authorized and empowered to send for persons, administer oaths, take testimony and employ a stenographer.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Reynolds presented a petition of E. Wentworth and others, in

reference to regulating the sale of intoxicating liquors; which was read and referred to the committee on internal affairs.

Mr. Halliday presented a petition in reference to game laws; which was read and referred to the committee on game laws.

Mr. Rowland presented a petition relative to records of deaths in the State of New York being certified to and registered; which was read and referred to the committee on public health.

Mr. North presented a petition of citizens of Oswego, against granting facilities for the traffic in intoxicating liquors; which was read and referred to the committee on internal affairs.

Mr. Prescott presented a petition relative to the excise law; which was read and referred to the committee on internal affairs.

Mr. Beard presented a petition of the board of supervisors of Chemung county, relative to commutation money for highway purposes; which was read and referred to the committee on railroads.

Mr. Beard presented a petition of the board of supervisors of Chemung county, for an act to provide for the custody and reformatory treatment of vagrants; which was read and referred to the committee on the judiciary.

On motion of Mr. Alvord, at 7 o'clock and 45 minutes the House adjourned.

TUESDAY, JANUARY 15, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Durant.

The journal of yesterday was read and approved.

Mr. Speaker presented the report of the Trustees of the Willard Asylum at Ovid, N. Y.; which was laid on the table and ordered printed.

(See Doc. No. 24.)

Mr. Speaker presented the fifty-third annual report of the Managers of the Society for the Reformation of Juvenile Delinquents; which was laid on the table and ordered printed.

(See Doc. No. 23.)

Mr. Speaker presented the annual report of the Auditor of the Canal Department; which was laid on the table and ordered printed.

(See Doc. No. 25.)

Mr. Speaker presented a message from the Governor, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, Jan. 15, 1878. }

To the Legislature:

I have the honor to transmit herewith the report of the Acting Captain of the Port of New York, of the amount of fees collected by him during the year 1877.

L. ROBINSON.

Said message was laid on the table and ordered printed.

(See Doc. No. 27.)

Mr. Speaker presented the forty-second annual report of the Managers

of the New York Institution for the Blind; which was laid on the table and ordered printed.

(See Doc. No. 22.)

On motion of Mr. Loveland, the privileges of the floor were granted to the Hon. J. W. Brown, a former member of the House; also, to Mr. McEwen.

On motion of Mr. Berry, the privileges of the floor were granted to the Hon. A. J. Beecher, a former member of the House.

On motion of Mr. Allen, the privileges of the floor were granted to the Hon. L. L. Lewis, a former member of this House.

On motion of Mr. Cormack, the privileges of the floor were granted to the Hon. Mr. Gibbs and Hon. Mr. Calhoun, former members of the House.

On motion of Mr. Graham, indefinite leave of absence was granted to Mr. Hoyt.

Mr. Curran introduced a bill entitled "An act to amend chapter 465 of the Laws of 1875, entitled 'An act to require the payment of certain premiums to the fire departments of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York but doing business therein,' passed May 28, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Pool introduced a bill entitled "An act to authorize the maps and surveys of the commissioners appointed by the President of the United States, in pursuance of an act of Congress approved February 19, 1875, to survey, locate and establish proper boundaries and limits of the villages of Vandalia, Carrolton, Great Valley, Salamanca, West Salamanca and Red House, to be received in evidence and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Berry introduced a bill entitled "An act to repeal the act entitled 'An act to incorporate the Chenango County Savings Bank,' passed March 17, 1860," which was read the first time, and by unanimous consent was also read the second time, when,

On motion of Mr. Berry, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Daly	Langner	Rowland
Allen	Day	Loveland	Sawyer
Alvord	Douglass	Lowing	Searing
Andrews	Fish	Mapes	Seebacher
Astor	Fitzgerald	Mattison	Sewell
Beard	Floyd-Jones	McDonough	Shanley
Bath	Flynn	Mead	Sheard
Berrigan	Foster	Mekeel	Sheldon
Berry	Frank	J. H. Miller	Skinner

Bouck	Galvin	S. V. R. Miller	Sutherland
Brooks	Gilbert	Moller	Strack
Browning	Grady	Mooers	E. Taylor
Brundage	Graham	Meyenborg	Terry
Burns	Halliday	Neilson	Thain
Case	Hamilton	North	Thomson
Chappell	I. I. Hayes	Noyes	Townsley
Chase	Henry	Palmer	Valentine
Clancy	Hepburn	Parker	Wadsworth
Clapp	Hobbie	Pattengill	Wakely
J. Clark	Holbrook	Patterson	Wemple
J. M. Clark	Hulme	C. C. Peck	Wheeler
Converse	Hurd	D. C. Peck	Wilbor
Cormack	Jones	Peek	Williams
Cosad	Keator	Piper	Willis
Crandall	Keegan	Pool	Winch
Crowley	Kellogg	Prescott	Worth
Curran	King	Proper	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Day introduced a bill entitled "An act to amend an act to amend the act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850, passed April 15, 1854," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Flynn introduced a bill entitled "An act to extend the powers and privileges of the Brooklyn Children's Aid Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Daly introduced a bill entitled "An act to confer additional powers upon the common council of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Holohan introduced a bill entitled "An act to amend an act entitled 'An act to equalize the State tax among the several counties in this State,' passed April 14, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Floyd-Jones introduced a bill entitled "An act to release the interest of the people of the State of New York in certain real estate in Flushing, Queens county, to Elijah Rontas," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Halliday introduced a bill entitled "An act to prevent fraud in the manufacture and sale of commercial fertilizers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, a bill entitled "An act to establish and provide for the New York State Experimental Station," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Moller introduced a bill entitled "An act to authorize the board of trustees of the village of West Mount Vernon, in the county of Westchester, to discontinue and close part of Railroad avenue in said village,

and grant or lease the same to the Harlem Railroad Company for the erection of a railroad station building," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Story introduced a bill entitled "An act to regulate the sale of distilled and fermented liquors and wines in certain cities in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Speaker presented the eleventh annual report of the Managers of the Hudson River State Hospital; which was laid on the table and ordered printed.

(*See Doc. No. 21.*)

Mr. Speaker presented the annual report of the Board of Managers of the State Reformatory; which was laid on the table and ordered printed.

(*See Doc. No. 20.*)

Mr. Speaker presented the first annual report of the Western New York Institution for Deaf Mutes; which was laid on the table and ordered printed.

(*See Doc. No. 19.*)

Mr. Speaker presented the report of the Thomas Asylum for Orphan and Destitute Indian Children; which was laid on the table and ordered printed.

(*See Doc. No. 26.*)

Mr. Speaker presented the seventh annual report of the Le Couteulx St. Mary's Institution for the Instruction of Deaf Mutes; which was laid on the table and ordered printed.

(*See Doc. No. 14.*)

Mr. Speaker presented the fifty-ninth annual report of the New York Institution for the Instruction of the Deaf and Dumb; which was laid on the table and ordered printed.

(*See Doc. No. 18.*)

Mr. Beard moved to discharge the committee on railroads from the further consideration of the petition of the board of supervisors in reference to commutation money for highway labor, and that said petition be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Loveland presented the petition of Lyman A. Spaulding, in relation to the surplus water of the canal at Lockport; which was read and referred to the committee on canals.

Mr. Willis presented resolutions of the board of supervisors of Onondaga county, in favor of the election of supervisor for two years; which was read and referred to the committee on internal affairs.

Mr. Hepburn presented a petition of the St. Lawrence County Medical Society, in regard to vital statistics; which was read and referred to the committee on public health.

Mr. Floyd-Jones presented a petition in the matter of the application of Elijah Rontas; which was read and referred to the committee on the judiciary.

Mr. Searing presented a petition of citizens of Kingston, Ulster county, against any change in the present excise laws; which was read and referred to the committee on internal affairs.

Mr. Halliday presented a resolution of the board of supervisors of

Tompkins county, for a reduction of salary of the members of the Legislature; which was read and referred to the committee on ways and means.

Also, a petition of the board of supervisors of Tompkins county, in regard to insurance; which was read and referred to the committee on insurance.

Also, a petition from the board of supervisors of Tompkins county, for an amendment to the law in relation to the confinement of insane paupers in the Willard Asylum; which was read and referred to the committee on ways and means.

Also, a petition of the board of supervisors, for the repeal of an act dividing Tompkins county into two school districts; which was read and referred to the committee on public education.

Mr. Moller offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk of the Assembly be, and is hereby authorized and directed to make out within fifteen days, a statistical and boarding house list of the members and officers of the Assembly, for the use of the Assembly, at a cost not to exceed fifty dollars, to be paid out of the current funds of the Legislature, on certificate of the Speaker.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Indefinite leave of absence was granted to Mr. Baker.

Mr. Speaker announced the following appointments of clerks and messengers of committees:

Ways and Means—Edward B. Hasbrook, clerk; John Kohl, messenger.

Judiciary—William Skinner, clerk; Allen Fleming, messenger.

Affairs of Cities—Michael J. Farrel, clerk; David McGuire, messenger.

Canals—Alonzo W. Hadden, clerk; John H. Bennett, messenger.

Railroads—John G. Blampied, clerk; J. Henry Howard, messenger.

Commerce and Navigation—Timothy J. Dyson, clerk; John Cogan, messenger.

Insurance, Two-thirds and Three-fifths Bills, Game Laws and Rules—Edwin H. Butler, clerk; James F. Johnson, messenger.

Banks, General Laws, Agriculture and Expenditures of the Executive Department—Rodman B. Smith, clerk; Nehemiah H. Fowler, messenger.

Claims, State Prisons and Indian Affairs—W. H. Bodwell, clerk; Henry Page, messenger.

Internal Affairs and Charitable and Religious Societies—Charles R. Watkins, clerk; William Saxton, messenger.

Public Education, Joint Library and Expenditures of the House—Fayette H. Peck, clerk; Willis A. Harding, messenger.

Roads and Bridges and Affairs of Villages—John King, clerk; Daniel P. Thurston, messenger.

Public Printing, Militia and Civil Divisions—Fred J. Merriman, clerk; Frederick Mortimer, messenger.

Trade and Manufactures, Grievances and Manufacture of Salt—G. Fred Wiltsie, clerk; Joseph A. Stratton, messenger.

Public Health, Petitions of Aliens and State Charitable Institutions—H. S. Merrill, clerk; Peter Miller, messenger.

Privileges and Elections, Federal Relations and Public Lands—James D. Sherrill, clerk; Chester J. Moore, messenger.

Assistant Doorkeeper—Safford E. North.

Messenger to Committee on Engrossed Bills—Egbert L. Crane.

Mr. Abbott offered for the consideration of the House a resolution, in the words following:

Whereas, The sudden death of Hon. Robert Waddell, of Warren county, has come to the knowledge of this Assembly; therefore,

Resolved, That in Mr. Waddell's service to the State, as member of this House in 1864, '76 and '77, his character was that of an earnest and conscientious legislator, genial and cordial in manner, of marked ability and honorable bearing; that his faithful discharge of duties in many and important positions commend his record to our grateful memory, and that, as a token of our regret for his death, this House do now adjourn until half-past ten o'clock to-morrow morning.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Whereupon, at 11 o'clock and 45 minutes, the House adjourned.

WEDNESDAY, JANUARY 16, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Morse.

The journal of yesterday was read and approved.

On motion of Mr. Moller, the privileges of the floor were granted to the Hon. G. H. Forster, a former member of the House.

Indefinite leave of absence was granted to Mr. J. T. Taylor.

Leave of absence was granted to Messrs. Townsley and Reynolds.

On motion of Mr. C. C. Peck, the privileges of the floor were granted to the Hon. A. Hill, a former member of the House.

Mr. Kellogg introduced a bill entitled "An act in relation to the maintenance of the chronic insane poor of the county of Cortland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Gilbert introduced a bill entitled "An act repealing certain acts and parts of acts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mapes introduced a bill entitled "An act to amend the title and certain sections of the act entitled 'An act for the incorporation of co-operative and industrial unions,' passed June 24, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Grady introduced a bill, entitled "An act to amend an act entitled 'An act to provide for the better care of pauper and destitute children,' passed April 24, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

Mr. Frank introduced a bill entitled "An act to legalize certain official acts of the board of excise of the city and county of New York, and to declare the legal effect thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Thain introduced a bill entitled "An act for the relief of Isaac

Piser," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Prescott introduced a bill entitled "An act in relation to the compensation of committees of the estate of idiots, lunatics, persons of unsound mind and habitual drunkards," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. D. C. Peek introduced a bill entitled "An act declaring the Salmon river and its north branch, known as Mad river, public highways, and regulating the passage of lumber, logs and timber down the same, and to provide for the improvement thereof, and to make an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Halliday introduced a bill entitled "An act in relation to the maintenance of the chronic insane poor of the county of Tompkins," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. L. Bradford Prince was granted the privileges of the floor.

Mr. Noyes introduced a bill entitled "An act to provide for the payment of expenses incurred in trials of convicts for crimes committed in the State prison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Speaker announced the appointment of Frank C. Platto as page, in place of H. B. Moss, for first half of the session, the same to take effect from January 10, 1878, he having been on duty since that time.

Mr. Speaker presented the report of the Commissioners to revise the statutes, with accompanying bill; which was referred to the committee on the judiciary.

Mr. Alvord presented the report of the Trustees of the New York Asylum for Idiots; which was laid on the table and ordered printed.

(See Doc. No. 28.)

In connection with said report, Mr. Alvord offered for the consideration of the House a resolution, in the words following:

Resolved, That 500 copies of the Report of the Trustees of the New York Asylum for Idiots, be printed and bound in paper covers, for the use of the trustees.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Chase moved to take from the table the report of the committee on expenditures of the House, in the words following:

"Mr. Chase, from the committee on expenditures of the House, to which was referred the resolution relative to the appointment of a superintendent, assistant superintendent and messenger of the express matter, and the mailing of documents, reported in favor of the adoption of the following resolution:

"*Whereas*, The immense amount of express matter and documents sent from the Assembly, which has to be weighed and stamped each day, renders it necessary to have extra assistance, for the purpose of taking prompt and proper care of the documents, mail and express matter of the Assembly.

Resolved, That Reuben L. Fox be and is hereby appointed superintendent of the express matter and mailing of documents for the present session, and William N. Haskell, assistant superintendent of express matter and mailing of documents for the present session, and that each of them receive the same compensation now by law authorized and paid to the assistant postmaster of the Assembly for the session of 1878; and that Charles L. Keyes be and he is hereby appointed messenger for the room used for express matter and the mailing of documents; and that he receive the same compensation now by law authorized and paid to the general messengers of the Assembly for the session of 1878, and that each of said compensations be paid in the same manner that other officers of the Assembly are paid."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Brooks moved the following as a substitute for the report of the committee on expenditures of the House:

Resolved, That the Speaker and Clerk of the Assembly be directed to designate from the several employes of the House, known as postmaster and assistant, mail carrier, superintendent of documents, doorkeepers and assistants, janitor and keeper, assistant janitor and keeper, general and assistant messengers, pages and other persons provided for in chapter 485 of the Laws of 1872, and chapter 112 of the Laws of 1875 (these laws authorizing not less than ninety-seven persons for the officers and members of the Assembly), whatever persons may be required for the receipt, handling and distribution of all mail and express matter, documents and other papers sent to or from the Assembly, or for the performance of whatever service may be required for the prompt and efficient discharge of the business working of the Assembly and its authorized committees.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Brooks, and it was determined in the negative.

} AYES 42 }
} NOES 70 }

Those who voted in the affirmative, were

Bath	Foster	Lowing	Piper
Bouck	Galvin	Mapes	Proper
Brooks	Griggs	McDonough	Sawyer
Brundage	Hamilton	Mead	Searing
Cormack	Henry	Mekeel	Skinner
Cosad	Holahan	J. H. Miller	Sutherland
Curran	Keator	Nelson	Thain
Daly	Keegan	Noyes	Thomson
Day	Kellogg	C. C. Peck	Wemple
Fitzgerald	Langner	Peek	Wheeler
Flynn	Loveland		

Those who voted in the negative, were

Abbott	Crandall	Kern	Sewell
Allen	Crawford	King	Shanley
Alvord	Deyoe	Mattison	Sheard
Andrews	Fish	S. V. R. Miller	Sheldon
Astor	Floyd-Jones	Moller	Story

Beard	Frank	Mooers	Strack
Bergen	Gilbert	Meyenborg	E. Taylor
Berrigan	Grady	Palmer	Terry
Berry	Graham	Parker	Valentine
Browning	Halliday	Pattengill	Wadsworth
Burns	I. I. Hayes	Patterson	Wakely
Case	J. Hayes	D. C. Peck	Waring
Chappell	Hepburn	Pool	Wilbor
Chase	Hobbie	Prescott	Williams
Clancy	Holbrook	Roberts	Willis
Clapp	Hulme	Rowland	Winch
J. M. Clark	Hurd	Seebacher	Worth
Converse	Jones		

When the name of Mr. Grady was called, he asked to be, and was not excused from voting.

Mr. Halliday called for a division of the question.

Mr. Speaker put the question on the first member of said report, in the words following: *Whereas*, The immense amount of express matter and documents sent from the Assembly, which has to be weighed and stamped each day, renders it necessary to have extra assistance for the purpose of taking prompt and proper care of the documents, mail and express matter of the Assembly. *Resolved*, That Reuben L. Fox be and is hereby appointed superintendent of the express matter and mailing of documents for the present session, and that he receive the same compensation now by law authorized and paid to the assistant postmaster of the Assembly for the session of 1878, and that said compensation be paid in the same manner that other officers of the Assembly are paid; and it was determined in the affirmative.

} AYES 78 {
} NOES 33 {

Those who voted in the affirmative, were

Abbott	Fitzgerald	Lowing	Rowland
Allen	Floyd-Jones	Mapes	Sawyer
Alvord	Frank	Mattison	Seebacher
Andrews	Galvin	McDonough	Sewell
Astor	Gilbert	J. H. Miller	Shanley
Beard	Grady	S. V. R. Miller	Sheard
Bath	Graham	Moller	Sheldon
Bergen	Halliday	Mooers	Sutherland
Berry	Hamilton	Meyenborg	Strack
Browning	I. I. Hayes	Neilson	E. Taylor
Brundage	J. Hayes	Noyes	Terry
Burns	Hepburn	Palmer	Valentine
Chappell	Holbrook	Parker	Wadsworth
Clancy	Hulme	Pattengill	Wakely
Clapp	Hurd	D. C. Peck	Waring
Converse	Jones	Peck	Wilbor
Crandall	Kellogg	Pool	Williams
Day	Kern	Prescott	Willis
Deyoe	King	Roberts	Winch
Fish	Langner		

Those who voted in the negative, were

Berrigan	Flynn	Loveland	Searing
Bouck	Foster	Mead	Skinner
Brooks	Griggs	Mekeel	Story
Chase	Henry	Nelson	Thain
Cormack	Hobbie	Patterson	Thomson
Cosad	Holahan	C. C. Peck	Wemple
Crawford	Keator	Piper	Wheeler
Curran	Keegan	Proper	Worth
Daly			

Mr. Alvord moved to lay the remainder of said report of the committee on expenditures of the House on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker administered the oath of office to Reuben L. Fox as superintendent of the express matter and mailing of documents.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to facilitate the transfer to the United States of the title to the Antietam National Cemetery in the State of Maryland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Federal relations.

"An act to legalize and confirm the official acts of John W. C. Leveridge, of the city of New York, a notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act making appropriation for continuing work upon the new Capitol during the winter and spring of 1878," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

In connection with said bill, Mr. Brooks offered for the consideration of the House a resolution, in the words following:

Resolved, That the commissioners of the new Capitol be requested to report as early as possible the probable, and as nearly as may be, the absolute cost of completing the new Capitol, according to the plans of the present architect, and the intentions of the present board of commissioners, including in such estimate the necessary cost of laying out the grounds in a manner suitable to the new building, the fencing in of the same, and all proper and reasonable expenses for the complete occupation of the building; also, the probable cost of heating, lighting and taking care of said building when completed, and the cost of removing the old Capitol, and such other buildings belonging to the State as are contemplated in the several plans of the architect and commissioners.

Said resolution was referred to the committee on ways and means.

Mr. Chappell introduced a bill entitled "An act to repeal chapter 72 of the Laws of 1877, passed March 29, 1877, entitled 'An act to regulate voting in the Western New York Agricultural Society,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

The hour of 12 o'clock having arrived, Mr. Alvord stated that the use of the Assembly Chamber had been given to the State Agricultural Society.

Whereupon, on motion of Mr. Alvord, at 12 o'clock the House adjourned.

THURSDAY, JANUARY 17, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Battershall.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act authorizing the board of supervisors of the county of Albany to issue bonds to pay a portion of the bonds of said county, that will mature during the year 1878," which was read the first time, and by unanimous consent was also read the second time, when,

On motion of Mr. Griggs, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Curran	Kellogg	Reynolds
Allen	Day	Langner	Roberts
Alvord	Deyoe	Loveland	Rowland
Andrews	Douglass	Lowing	Sawyer
Astor	Fish	Mattison	Searing
Baker	Fitzgerald	Mead	Sewell
Bath	Floyd-Jones	J. H. Miller	Shanley
Bergen	Flynn	S. V. R. Miller	Sheard
Berrigan	Foster	Moller	Skinner
Berry	Galvin	Mooers	Story
Bouck	Gilbert	Meyenborg	Sutherland
Brooks	Grady	Neilson	E. Taylor
Browning	Griggs	Niven	Terry
Brundage	Halliday	North	Thain
Case	Hamilton	Noyes	Thomson
Chappell	Henry	Palmer	Townsley
Chase	Hepburn	Parker	Wakely
Clancy	Hobbie	Pattengill	Waring
Clapp	Holahan	Patterson	Wemple
J. M. Clark	Holbrook	C. C. Peck	Wheeler
Converse	Hulme	Peek	Wilbor
Cormack	Hurd	Piper	Williams
Cosad	Jones	Prescott	Willis
Crandall	Keegan	Proper	Winch
Crawford			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

This being the day assigned under the rules for the consideration of general orders, Mr. Speaker announced the order of business, "general orders."

On motion of Mr. Floyd-Jones, the privileges of the floor were granted to the Hon. Thomas Hamilton, a former member of the House.

The privileges of the floor were granted to Messrs. Nachtman and McGroarty, former members of the House.

Mr. Andrews introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Pool introduced a bill entitled "An act to legalize the acts of collectors throughout the State," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wilbor introduced a bill entitled "An act to amend chapter 373 of the Laws of 1866, entitled 'An act to authorize any town in the counties of Columbia or Rensselaer to aid in the completion of the Lebanon-Springs railroad,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Douglass introduced a bill entitled "An act in relation to rates of ferriage between New York, Brooklyn and Long Island cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Cosad introduced a bill entitled "An act authorizing the taxation of the shares in life, fire and marine insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Graham introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Newburgh,' passed April 22, 1865, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to provide for the care and support of pauper children in the city and town of Newburgh, in the county of Orange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Burns introduced a bill entitled "An act in relation to poor persons in criminal prosecutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brooks introduced a bill entitled "An act to amend section 1242 of an act entitled 'An act relating to courts, officers of justice and civil proceedings,' passed June 2, 1876, and an act amendatory thereof, passed June 5, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Valentine introduced a bill entitled "An act to exempt the county of Wayne from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Moller introduced a bill entitled "An act in relation to employes of any city government of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord presented the annual report of the Superintendent of the Onondaga Salt Springs; which was laid on the table and ordered printed.
(See Doc. No. 29.)

In connection with said report, Mr. Alvord offered for the consideration of the House a resolution, in the words following:

Resolved, That 500 copies of the report of the Superintendent of the Onondaga Salt Springs be printed and bound in paper covers for the use of the Superintendent.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Alvord, from the committee on ways and means, to which was referred the resolution offered by Mr. Brooks, in the words following: "*Resolved*, That the commissioners of the new Capitol be requested to report as early as possible the probable, and as nearly as may be, the absolute cost of completing the new Capitol according to the plans of the present architect, and the intentions of the present board of commissioners, including in said estimate the necessary cost of laying out the grounds in a manner suitable to the new building, the fencing in of the same, and all proper and reasonable expense for the complete occupation of the building; also, the probable cost of heating, lighting and taking care of said building when completed, and the cost of removing the old Capitol, and such other buildings belonging to the State as are contemplated in the several plans of the architect and commissioners;" reported in favor of the passage of the same, which report was agreed to.

Mr. Alvord, from the committee on ways and means, to which was referred the Senate bill entitled "An act making appropriation for continuing work upon the new Capitol during the winter and spring of 1878," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk of this House be instructed to take proper measures to engage the use of house No. 170 State street, Albany, for committee rooms for the session of the Legislature of 1878; the owner or lessee to furnish carpet, light, and heat the same, and employ a janitor therefor.

Mr. Sheard moved to refer said resolution to the committee on expenditures of the House.

Mr. Brooks moved to amend said resolution by adding at the end thereof the words "that in no case shall the amount exceed the sum of fifteen hundred dollars."

Mr. Holahan moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Sheard, and it was determined in the affirmative.

The privileges of the floor were granted to the Hon. Mr. Seymour Dexter and to the Hon. Mr. Clausen, former members of the House.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Moller, Int. No. 99, entitled "An act to authorize the board of trustees of the village of West Mount Vernon, in the county of Westchester, to discontinue and close part of Railroad avenue in said village, and grant or lease the same to the Harlem Railroad Company for the erection of a railroad station building," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The hour of twelve having arrived, Mr. Speaker announced that, pursuant to law and a joint resolution of the Senate and Assembly, the House would now proceed to the nominations of two Regents of the University in place of John V. L. Pruyn, deceased, and John A. Dix, resigned.

The House then proceeded to the nomination of a Regent of the University in the place of John V. L. Pruyn, deceased, and each member, as his name was called by the Clerk, rose in his place and nominated as follows :

FOR LESLIE W. RUSSELL.

Abbott	Graham	S. V. R. Miller	Speaker
Alvord	Griggs	Mooers	Story
Andrews	I. I. Hayes	North	Sutherland
Astor	Hepburn	Noyes	E. Taylor
Berry	Hobbie	Palmer	Terry
Brundage	Holbrook	Parker	Valentine
Case	Hulme	D. C. Peck	Wadsworth
Chappell	Hurd	Peek	Wakely
Chase	Jones	Pool	Waring
Clapp	Keator	Prescott	Wheeler
J. M. Clark	Kern	Reynolds	Wilbor
Crandall	King	Rowland	Williams
Deyoe	Lowing	Sawyer	Willis
Fish	Mattison	Sewell	Winch
Foster	Mekeel	Sheard	Worth
Gilbert	J. H. Miller	Skinner	

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FOR AUGUST BELMONT.

Allen	Cosad	Hamilton	Pattengill
Baker	Crawford	Henry	Patterson
Bath	Crowley	Holahan	C. C. Peck
Bergen	Curran	Keegan	Piper
Berrigan	Day	Kellogg	Proper
Bouck	Douglass	Langner	Roberts
Brooks	Fitzgerald	Loveland	Searing
Browning	Floyd-Jones	Mead	Seebacher
Burns	Flynn	Moller	Shanley
Clancy	Galvin	Meyenborg	Thain
Converse	Grady	Neilson	Thomson
Cormack	Halliday	Niven	Wemple

48

FOR JOHN FAIR.

Beard	Mapes
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2

FOR MANTON MARBLE.

Daly	J. Hayes	Strack
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3

A quorum having voted, and a majority having named Leslie W. Russell, of Canton, St. Lawrence county as their choice,

Mr. Speaker announced that Leslie W. Russell, of Canton, St. Lawrence county, had been duly nominated on the part of the House for Regent of the University in place of John V. L. Pruyn, deceased.

Mr. Speaker then announced that the House would proceed to the nomination of a Regent of the University in place of John A. Dix, resigned.

The House then proceeded to the nomination of a Regent of the University in place of John A. Dix, resigned, and each member, as his name was called by the Clerk, rose in his place and nominated as follows :

FOR WHITELAW REID.

Abbott	Graham	S. V. R. Miller	Speaker
Alvord	Griggs	Mooers	Story
Andrews	I. I. Hayes	North	Sutherland
Astor	Hepburn	Noyes	E. Taylor
Berry	Hobbie	Palmer	Terry;
Brundage	Holbrook	Parker	Valentine
Case	Hulme	D. C. Peck	Wadsworth
Chappell	Hurd	Peek	Wakely
Chase	Jones	Pool	Waring
Clapp	Keator	Prescott	Wheeler
J. M. Clark	Kern	Reynolds	Wilbor
Crandall	King	Rowland	Williams
Deyoe	Lowing	Sawyer	Willis
Fish	Mattison	Sewell	Winch
Foster	Mekeel	Sheard	Worth
Gilbert	J. H. Miller	Skinner	

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FOR ERASTUS CORNING.

Allen	Crowley	Holahan	Patterson
Baker	Curran	Keegan	C. C. Peck
Bath	Daly	Kellogg	Piper
Bergen	Day	Langner	Proper
Bouck	Douglass	Loveland	Roberts
Brooks	Fitzgerald	Mead	Searing
Browning	Floyd-Jones	Moller	Seebacher
Burns	Flynn	Meyenborg	Shanley
Clancy	Galvin	Neilson	Strack
Converse	Grady	Nelson	Thain
Cormack	Halliday	Niven	Thomson
Cosad	Hamilton	Pattengill	Wemple
Crawford	Henry		

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FOR THOMAS K. BEECHER.

Beard Mapes

A quorum having voted, and a majority thereof having named Whitelaw Reid, of New York, New York county, as their choice,

Mr. Speaker announced that Whitelaw Reid, of New York city, county of New York, had been duly nominated on the part of the House for Regent of the University in place of John A. Dix, resigned.

Senators Robertson and Jacobs, a committee from the Senate, appeared in the Assembly Chamber and informed the House that the Senate had made their nominations for Regent of the University.

On motion of Mr. Astor,

Resolved, That a committee of two be appointed to inform the honorable the Senate that the Assembly have made their nominations for Regents of the University, and are ready to meet the Senate in the Assembly Chamber and compare such nominations.

Mr. Speaker appointed as such committee Messrs. Astor and Kellogg.

Mr. Astor, from said committee, reported that they had discharged that duty.

The Senate appeared in the Assembly Chamber, and the President of the Senate, upon taking the chair, announced that the Senate and Assembly were in joint convention for the purpose of nominating two Regents of the University in place of John V. L. Pruyn, deceased, and John A. Dix, resigned.

The Clerk of the Senate then read the proceedings of the Senate, and the Clerk of the Assembly the proceedings of the Assembly relating thereto.

The nominations being found to agree, the President of the Senate announced and declared that Leslie W. Russell, of Canton, St. Lawrence county, was duly elected Regent of the University in place of John V. L. Pruyn, deceased; and Whitelaw Reid, of New York county, was duly elected Regent of the University in place of John A. Dix, resigned.

The Senate having retired from the Assembly Chamber,

The chair announced that on the meeting of the Senate and Assembly to compare nominations for the office of Regent of the University, the nominations of the two houses were found to agree, and that, as declared by the President of the Senate, Leslie W. Russell, of Canton, St. Lawrence county, was duly elected Regent of the University in place of John V. L. Pruyn, deceased, and Whitelaw Reid, of New York city, county of New York, was duly elected Regent of the University in place of John A. Dix, resigned.

The House then resumed the order of business, "reports of standing committees."

Mr. Williams moved that the committee on roads and bridges be discharged from further consideration of the bill entitled "An act in relation to the Kingsbridge road, in the city of New York," and that the same be referred to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Graham introduced a bill entitled "An act for the relief of the Canterbury Fire Engine Company, in Orange county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Graham presented three petitions of citizens of Orange county, against change of present excise law; which were read and referred to the committee on internal affairs.

Mr. Neilson presented a resolution of the board of supervisors of Saratoga county, in favor of fixing the term of office of supervisors three years, one-third expiring each year; which was read and referred to the committee on internal affairs.

Mr. Deyoe introduced a resolution on the same subject; which was read and referred to the same committee.

Mr. Sawyer presented a petition of taxpayers of Tioga county, against the repeal of the present excise law; which was read and referred to the committee on internal affairs.

Mr. Graham presented a petition of taxpayers of school district No. 5 of Cornwall, Orange county, for authority to raise money by tax to pay debts of fire engine company in said district; which was read and referred to the committee on the judiciary.

Mr. Terry presented a petition for the change of location of a bridge over the Champlain canal in the town of Whitehall: which was read and referred to the committee on roads and bridges.

Mr. Hulme presented a petition of residents of the town of Red Hook, in Dutchess county, for the enactment of a law to authorize the formation of a town mutual insurance company in said town; which was read and referred to the committee on insurance.

Mr. Griggs presented a petition of George Van Hoesen and others, to lease house No. 170 State street, for purpose of use of committees of Assembly; which was read and referred to the committee on expenditures of the House.

Mr. Willis presented resolutions of the board of supervisors of Onondaga county, in favor of a modification of the insurance laws; which was read and referred to the committee on insurance.

Mr. Foster presented a resolution for the applying of unexpended balances in the State treasury toward the completion of the new Capitol; which was read and referred to the committee on ways and means.

Mr. Keegan presented a petition of the common council of Long Island City, for reduction of ferriage across East river, at Thirty-fourth street; which was read and referred to the committee on commerce and navigation.

Mr. Waring presented a remonstrance of the bishop, clergy and laity of the Protestant Episcopal Church, in the diocese of Albany, against the passage of an act to amend section 1 of chapter 803 of the Laws of 1868, entitled "An act to amend the acts to provide for the incorporation of religious societies, so far as the same relate to churches in connection with the Protestant Episcopal Church;" which was read and referred to the committee on charitable and religious societies.

Mr. Crowley presented a petition of the board of supervisors of Erie county, that Limestone Hill Protectory be made a charge upon the State instead of the county of Erie; which was read and referred to the committee on ways and means.

Mr. Hurd presented a petition of the board of supervisors of Erie county, for the passage of an act providing that supervisors of towns in Erie county be elected for two years; which was read and referred to the committee on general laws.

Also, a petition of the board of supervisors of Erie county, requesting the passage of an act assigning room 36 in the city and county hall of Erie county, to the use of coroners of said county; which was read and referred to the committee on internal affairs.

Mr. Allen presented a resolution of the board of supervisors of Erie county, requesting the passage of a bill providing for the erection of a female prison in the city of Buffalo; which was read and referred to the committee on internal affairs.

Also, a resolution of the board of supervisors of Erie county, for increase of compensation of assistant clerks of boards of supervisors; which was read and referred to the committee on internal affairs.

Mr. Moller offered for the consideration of the House a resolution, in the words following :

Resolved, That the Secretary of State be authorized to distribute to the State officers and members of both branches of the Legislature, one copy each of the book known as Vol. 12, Colonial History of the State of New York.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Halliday offered for the consideration of the House a resolution, in the words following :

Resolved, That 2,500 copies of the report of the Trustees of the Willard Asylum for the Insane be printed for the use of said asylum.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Graham offered for the consideration of the House a resolution, in the words following :

Resolved, That 2,000 extra copies of the report of the State Homœopathic Asylum for the Insane at Middletown, be printed for the use of the trustees, and 500 copies for the use of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

Mr. I. I. Hayes offered for the consideration of the House a resolution, in the words following :

Resolved, That the mayor of the city of New York, president of the board of health and the commissioner of public works of the city of New York be and they are hereby requested to devise a plan for the better cleaning of the streets of said city, for the separation of the garbage and ashes, and for the proper disposition thereof, and to report the same to the Legislature within twenty days after the passage of this resolution.

Said resolutions giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Daly offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That this Legislature recognizes the Constitution of the State as the supreme law, subordinate only to the Constitution of the United States, and that the directions contained in article 3 thereof, which provide that the Senate districts shall be so altered by the Legislature at the first session after the return of every enumeration, that each Senate district shall contain as nearly as may be an equal number of inhabitants, excluding aliens and others not taxed, and also that the Members of Assembly shall be apportioned among the several counties of the State as nearly as may be, according to the number of their respective inhabitants, excluding aliens, are mandatory and impose the duty there enjoined, as paramount to every other duty, except to provide for the support of government and the public safety ; that this Legislature would be recreant to its duty and the Constitutional oaths of its members, and incur the just censure of the people, if it should neglect or refuse to comply with these provisions of the Constitution.

Resolved (if the Senate concur), That in order to more effectually enable this Legislature to discharge its duty, the several members of the committees of either House having charge of the subject be discharged from the performance of every other legislative duty until they shall have considered and reported a just and proper bill, based upon the census of this State, taken in 1875, for the alteration of the Senate districts and the appor-

tionment of Members of Assembly, and that after such report shall have been made, prompt and decisive action by each House be taken thereon.

Said resolutions giving rise to debate,

Ordered, That the same be laid on the table.

Mr. I. I. Hayes offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That there be printed 1,000 extra copies of the report of the State Engineer and Surveyor on canals, for the use of that officer, 500 copies to be bound in cloth, and 500 in paper.

Ordered, That said resolution be referred to the committee on public printing.

Mr. I. I. Hayes offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That there be printed for the use of the Legislature, 1,000 copies of the annual financial report of the Auditor of the Canal Department, for the fiscal year ending 30th September, 1877, and also 500 copies for the use of the Auditor.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Waring offered for the consideration of the House a resolution, in the words following:

Resolved, That the papers relating to the Queens County railroad, now on file in the Clerk's office of the Assembly, be taken therefrom, and referred to the committee on railroads.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Bergen offered for the consideration of the House a resolution, in the words following:

Resolved, That the concurrent resolution, proposing an amendment to section 6 of article 6 of the Constitution, passed at the last session of the Legislature, be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. E. Taylor offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That all papers on file in the Senate or Assembly, and with the Board of Regents of the University, relating to the Tonawanda Manual Labor School, be taken therefrom, and referred to the committee on ways and means of the Assembly, said papers to be returned to their appropriate places as soon as practicable for the uses of this resolution.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Gilbert offered for the consideration of the House a resolution, in the words following:

Whereas, At the annual session of the Legislature for the year 1876, a proposed amendment of the Constitution was agreed to by the Senate and Assembly, viz.:

Concurrent resolution proposing an amendment to the Constitution in relation to common schools.

Resolved, That article nine of the Constitution be amended by the addition of the following sections:

§ 2. Free common schools shall be maintained throughout the State forever. The Legislature shall provide for the instruction in the branches of elementary education in such schools of all persons in the State, between the ages of five and twenty-one years, for the period of at least twenty-eight weeks in each year.

§ 3. Neither the money, property or credit of the State, nor of any county, city, town, village or school district, shall be given loaned or leased, or be otherwise applied to the support or in aid of any school or instruction under the control or in charge of any church, sect, denomination or religious society; nor to or in aid of any school in which instruction is given peculiar to any church, creed, sect or denomination, or to or in aid of any such instruction; nor to or in aid of any school or institution not wholly under the control and supervision and in charge of the public school authorities. This section shall not prohibit the Legislature from making such provision for the education of the blind, the deaf and dumb and juvenile delinquents as it may deem proper, except in institutions in which instruction is given peculiar to any church, creed, sect or denomination or religious society; nor shall it apply to or affect the Cornell University endowment fund, hitherto pledged and appropriated.

And, whereas, Said proposed amendment was agreed to by a majority of all the members elected to each of the two houses of said Legislature, entered in their journals, with the yeas and nays taken thereon, and referred to the Legislature to be chosen at the next election of Senators; and,

Whereas, Such general election has taken place, and said proposed amendment was duly published for three months previous to the time of such election, in pursuance of the provisions of section one of article thirteen of the Constitution; therefore,

Resolved (if the Senate concur), That the two houses composing the present Legislature do agree to the said proposed amendment.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Mr. Hurd offered for the consideration of the House a resolution, in the words following:

Resolved, That 2,000 copies of the annual report of the Comptroller for 1878 be printed for the use of the Assembly.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Cormack offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be directed to prepare a bill for the consideration of the House, having for its object the assumption of the control of the building known as Congress Hall, and that the same be used for the purposes of necessary legislation until the completion of the new State Capitol.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Mooers offered for the consideration of the House a resolution, in the words following:

Resolved, That 1,000 copies of the annual report of the Superintendent of State Prisons be printed for the use of the Superintendent.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Browning called from the table a resolution previously offered by him, in the words following :

Whereas, The combination recently reported in the daily press as having been entered into by the railroad and coal interests for the avowed purpose of limiting the supply of coal, and thereby greatly increasing the price thereof to consumers, embraces one or more railway or other corporations acting and operating under franchises granted by this State ; therefore,

Resolved, That the committee on railroads be, and it is hereby directed to investigate and inquire into the merits, intent and purposes of what is known as the coal combination, and if it shall appear that any railway or other chartered corporations, protected by the laws of this State, has violated any of its granted rights and privileges, by forming a part of, or participating in said combination, the committee is directed to report within twenty days, by bill or otherwise, some action for the consideration of this Assembly, which will compel such railway or other chartered corporations to respect and obey the laws under which they are protected ; and for the purposes herein mentioned, the committee on railroads is authorized and empowered to send for persons, administer oaths, take testimony and employ a stenographer.

Mr. Alvord moved that said resolution be referred to the committee on railroads, with instructions to report on Tuesday next.

Mr. Grady moved that further consideration of said resolution be postponed, and be made a special order for Tuesday morning next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Grady, and it was determined in the affirmative.

Mr. Brooks offered for the consideration of the House a resolution, in the words following :

Resolved, That as sound policy seems to require the abandonment of the Genesee Valley and Chemung canals, the expenditures upon the former during the past canal season being \$22,211.39 in excess of the receipts, and the whole receipts but \$41,745.17, and of the latter canal \$9,552.21 in excess of \$3,211.54 of tolls received, that the committee on canals consider the expediency of reporting, at an early day, a concurrent resolution for closing these two canals before the commencement of the canal season of 1878.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Noyes moved to discharge the committee on ways and means from further consideration of the bill entitled "An act to provide for the payment of expenses incurred in trials of convicts for crimes committed in the State prisons," and that the same be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. King, from the committee on public health, to which was referred the bill introduced by Mr. Alvord, Int. No. 88, entitled "An act relating to animals," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Indefinite leave of absence was granted to Messrs. Proper and Sliter.

Mr. Mapes moved to discharge the committee on charitable and

religious societies from further consideration of the bill entitled "An act to amend the title and certain sections of an act entitled 'An act for the co-operation and industrial unions,'" and that the same be referred to the committee on trade and manufactures.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. D. C. Peck moved to discharge the committee on public education from further consideration of the bill entitled "An act to establish a uniformity of text-books in the common schools of the State, and to make them free of copyright in their publication and use by the people of the State," and that the same be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Gilbert moved that the concurrent resolution regarding the constitutional amendment introduced by him, be taken from the table and referred to the committee on public education.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Holahan moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 1 o'clock and 20 minutes, the House adjourned.

FRIDAY, JANUARY 18, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Upson.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Resolved, That a message be sent to the Assembly respectfully requesting that body to transmit to the Senate the papers on the files of the Assembly for the year 1876, relating to the taxation of property in the town of Vienna, Oneida county, and that the said papers when received be referred to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

The Senate returned the bill entitled as follows:

"An act conferring certain powers on the clerk of the surrogate's court of the county of Kings."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled "An act to authorize the board of supervisors of Orange county to issue bonds to provide for the payment of certain outstanding certificates of indebtedness of said county," with a message informing that they had passed the same, with the following amendments:

Section 3, line 4, after the word "devoted," insert the word "only."

Same section, line 10, after the word "applied," insert the word "only."

Add at the end of section 3 the following: "The certificates of indebtedness which shall be paid as in this section provided, shall in no case be re-issued for any purpose whatever, but shall be canceled and destroyed by the treasurer of Orange county, who shall thereupon make a certificate thereof, and file the same in the office of the clerk of said county."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Allen	Douglass	Lowing	Rowland
Alvord	Fitzgerald	Mapes	Sawyer
Andrews	Floyd-Jones	Mead	Searing
Astor	Foster	Mekeel	Seebacher
Baker	Frank	J. H. Miller	Sewell
Bath	Galvin	S. V. R. Miller	Sheard
Beard	Gilbert	Moller	Skinner
Bergen	Grady	Mooers	Sliter
Berrigan	Graham	Meyenborg	Story
Berry	Halliday	Neilson	Strack
Bouck	Hamilton	Niven	Sutherland
Brooks	Henry	North	E. Taylor
Browning	Hobbie	Noyes	Terry
Brundage	Holahan	Palmer	Thomson
Chase	Holbrook	Parker	Valentine
Clapp	Hulme	Pattengill	Wadsworth
J. M. Clark	Jones	Patterson	Wakely
Converse	Keator	C. C. Peck	Waring
Cormack	Keegan	D. C. Peck	Wemple
Crowley	Kern	Peek	Wilbor
Curran	King	Prescott	Willis
Day	Langner	Purdy	Winch
Deyoe	Loveland	Roberts	

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Speaker presented a communication from the Auditor of the Canal Department, in response to a resolution of the Assembly, regarding the abandonment of tolls on the Erie, Champlain and Oswego canals.

Mr. Brooks moved to refer said report to the committee on canals, and that the same be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented a communication in the words following :

EXECUTIVE DEPARTMENT — CITY HALL, }
 NEW YORK, *January 17, 1878.* }

HON. JAMES W. HUSTED, *Speaker of the Assembly:*

SIR—Pursuant to the request of the common council of this city, I herewith transmit the financial bill prepared by the comptroller of the city of New York, entitled "An act relating to the bonded indebtedness of the city of New York, and to provide for the payment of the same," and a memorial for the passage of said act, together with the resolution of the common council approving of the said act.

Very respectfully,

SMITH ELY, JR.,

Mayor.

On motion of Mr. Brooks, said communication and accompanying bill were referred to the committee on affairs of cities.

Mr. Brooks presented a report of the commissioners of the new Capitol, in answer to a resolution of the Assembly, in regard to the cost of the new Capitol, and on motion of Mr. Brooks, said communication was referred to the committee of the whole and ordered printed; and that a still further request be sent to the new Capitol commissioners, asking them to inform the Assembly as to the cost of glazing for the new Capitol.

Mr. Douglass introduced a bill entitled "An act abolishing the board of excise, and creating a bureau in the mayor's office in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Prescott introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the fire department of the village of Rome, Oneida county,' passed April 12, 1855, and the act as hereby amended shall hereafter be known as 'An act to incorporate the fire department of the city of Rome, Oneida county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Niven introduced a bill entitled "An act to amend chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution,' passed May 17, 1872, and the act amending the same, passed June 4, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend the statutes in reference to the collection of taxes in the county of Sullivan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a bill entitled "An act to release to Jane Berry of the town of Fallsburgh, Sullivan county, New York, the right, title and interest of the people of the State of New York in the real estate of which William Rescola died seized," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on the petitions of aliens.

Mr. Speaker presented a bill entitled "An act to amend chapter 324 of the Laws of 1869, entitled 'An act for the election of a receiver of taxes and assessments for the town of Cortlandt and village of Peekskill,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Speaker presented a remonstrance of citizens of New York city, against repeal of excise law; which was read and referred to the committee on internal affairs.

Mr. S. V. R. Miller presented a petition of citizens of Rensselaer county, against repeal of present excise law; which was read and referred to the committee on internal affairs.

Mr. Chase presented a petition of citizens of Otsego county, on same subject; which was read and referred to the same committee.

Mr. Hulme presented a petition of citizens of Dutchess county, on same subject; which was read and referred to the same committee.

Mr. Sullivan presented a petition of Jane Berry, for the release of the right and interest of the people of the State of New York in certain lands in Fallsburgh, Sullivan county, N. Y.; which was read and referred to the committee on the petitions of aliens.

Mr. Chase, from the committee on expenditures of the House, to which was referred the resolution relative to procuring committee rooms for use of the House, reported in favor of the adoption of the following resolution:

Resolved, That house No. 170 State street be rented for that purpose during the session of the Legislature, at the sum or rental value of \$1,350, this committee having ascertained that said premises can be secured for that amount, as will appear from a written proposition from the lessees, accompanying this report.

HON. AZRO CHASE, *Chairman of the committee on expenditures of the House, and gentlemen of the committee:*

GENTLEMEN — We would most respectfully submit for your consideration the following proposition relating to the leasing of house for committee purposes for the Legislature of 1878, viz:

We will furnish you the house, known as No. 170 State street, Albany, N. Y., from this date (or as soon as possible to place in condition) for committee purposes for the present session of the Legislature of 1878, for \$1,350, carpeted, heated and lighted, ready for occupancy, as also a janitor to care for the house.

Respectfully,

GEO. L. VAN HOESEN,
GEO. HOPEY,

ALBANY, *January* 17, 1878.

Lessees.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Alvord moved to discharge the committee on Federal relations from the further consideration of the Senate bill entitled "An act to facilitate the transfer to the United States of the title to the Antietam National Cemetery in the State of Maryland," and that the same be read a third time.

Mr. Speaker put the question whether the House would agree to said

motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Daly	King	Piper
Allen	Day	Langner	Prescott
Alvord	Deyoe	Loveland	Purdy
Andrews	Douglass	Lowing	Roberts
Astor	Fitzgerald	Mapes	Rowland
Baker	Floyd-Jones	Mattison	Sawyer
Bath	Flynn	McDonough	Searing
Beard	Foster	Mead	Seebacher
Bergen	Frank	Mekeel	Sewell
Berrigan	Galvin	J. H. Miller	Shanley
Berry	Gilbert	S. V. R. Miller	Sheard
Bouck	Grady	Moller	Skinner
Brooks	Graham	Mooers	Strack
Browning	Griggs	Meyenborg	Sutherland
Brundage	Halliday	Neilson	E. Taylor
Burns	Hamilton	Nelson	Terry
Chappell	I. I. Hayes	Niven	Thain
Chase	Henry	North	Thomson
Clancy	Hepburn	Palmer	Valentine
Clapp	Hobbie	Parker	Wadsworth
Converse	Holbrook	Pattengill	Wakely
Cormack	Hulme	Patterson	Waring
Cosad	Jones	C. C. Peck	Wemple
Crawford	Keator	D. C. Peck	Wilbor
Crowley	Keegan	Peek	Winch
Curran	Kern		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Wadsworth, from the committee on agriculture, to which was referred the bill introduced by Mr. Chappell, Int. No. 116, entitled "An act to repeal chapter 72 of the Laws of 1877, passed March 29, 1877, entitled 'An act to regulate voting in the Western New York Agricultural Society,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Brooks called from the table a resolution previously offered by him, in the words following:

Resolved, That as sound policy seems to require the abandonment of the Genesee Valley and Chemung canals, the expenditures upon the former during the past canal season being \$22,211.39 in excess of the receipts, and the whole receipts but \$41,745.17, and of the latter canal \$1,532.21 in excess of \$3,211.54 of tolls received, that the committee on canals consider the expediency of reporting, at an early day, a concur-

rent resolution for closing these two canals before the commencement of the canal season of 1878.

Mr. Brooks moved to amend said resolution by striking out the words "concurrent resolution," and inserting in lieu thereof the word "bill."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. I. I. Hayes moved to refer said resolution, as amended, to the committee on canals.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. I. I. Hayes called from the table a resolution previously offered by him, in the words following :

Resolved, That the mayor of the city of New York, president of the board of health and the commissioner of public works of the city of New York be and they are hereby requested to devise a plan for the better cleaning of the streets of said city, for the separation of the garbage and ashes, and for the proper disposition thereof, and to report the same to the Legislature within twenty days after the passage of this resolution.

Mr. Grady moved to amend by substituting the following :

Resolved, That the mayor, comptroller, commissioner of public works, president of the board of health and chairman of the committee on street cleaning, of the board of police of the city of New York be and they are hereby requested to devise a plan for the better cleaning of the streets of said city, for the separation of the garbage and ashes and for the proper disposition thereof, and to report the same to the Legislature within twenty days after the passage of this resolution.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Grady, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Thain offered for the consideration of the House a resolution, in the words following :

Resolved, That the committee on affairs of cities be and they hereby are directed to inquire into, and report (by bill or otherwise) within thirty days, such legislation, if any, as may be necessary to compel the New York Elevated Railroad Company and the Gilbert Elevated Railroad Company to proceed with the completion of their respective railways above Fifty-ninth street, in the city of New York, and otherwise in that respect, and in respect to the time of running their trains and rates of fare; that said railways shall, to some extent, be operated in the interest of the people.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Cormack called from the table a resolution previously offered by him, in the words following :

Resolved, That the committee on the judiciary be directed to prepare a bill for the consideration of this House having for its object the assumption of the control of the building known as Congress Hall, and that the same be used for the purposes of necessary legislation until the completion of the new State Capitol.

Mr. Alvord moved that said resolution with the bill for the completion

of the new Capitol be made a special order for Tuesday morning next immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Story introduced a bill entitled "An act for the destruction and removal of buildings known as Congress Hall, adjoining the Capitol," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Brooks offered for the consideration of the House a resolution, in the words following :

Resolved, That the committee on apportionment be required to report within the next thirty days a bill providing for the apportionment of the State in accordance with article three, sections four and five of the Constitution.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Chase offered for the consideration of the House a resolution, in the words following :

Resolved, That the Clerk of this House be and he is hereby authorized and directed to contract for the rent of house number 170 State street, Albany, N. Y., for the use of committees during the present session of the Legislature, at an expense or rental of \$1,350, in accordance with the report of the committee on expenditures of the House, and already adopted.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Daly moved that when this House adjourn it be to meet on Monday evening at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Kern, Int. No. 58, entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and repeal its present charter,' and to repeal chapter 250 of the Laws of 1870, chapter 18 of the Laws of 1874, and chapter 142 of the Laws of 1875, as amended by chapter 166 of the Laws of 1877," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend chapter 166 of the Laws of 1877, entitled 'An act to amend chapter 435 of the Laws of 1868, entitled An act to incorporate the village of Hamilton, in the county of Madison, and repeal its present charter,' and to repeal chapter 250 of the Laws of 1870, chapter 18 of the Laws of 1874, and chapter 142 of the Laws of 1875" which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Chappell, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to repeal chapter 72 of the Laws of 1877, passed March 29, 1877, entitled 'An act to regulate voting in the Western New York Agricultural Society,'" and said bill ordered to a third reading.

On motion of Mr. Alvord, at 12 o'clock and 35 minutes the House adjourned.

MONDAY, JANUARY 21, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Smith.

The journal of Friday, January 18, was read and approved.

The Senate returned the bill entitled as follows:

"An act to authorize the board of supervisors of Orange county to issue bonds to provide for the payment of certain outstanding certificates of indebtedness of said county."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to repeal the act entitled 'An act to incorporate the Chenango County Savings Bank,' passed March 17, 1860."

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act in relation to the powers and duties of the State Commissioner in Lunacy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to repeal chapter 72 of the Laws of 1877, passed March 29, 1877, entitled 'An act to regulate voting in the Western New York Agricultural Society,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to change the name of the Woman's Aid Society and Home for Training Young Girls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker presented a communication from his Excellency the Governor, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, Jan. 21, 1878. }

To the Assembly:

I have the honor to transmit herewith a communication from the Department of Agriculture U. S. A., and request that the same may be referred to the committee on agriculture.

L. ROBINSON.

Ordered, That said communication be referred to the committee on agriculture.

Mr. Curran introduced a bill entitled "An act to amend chapter 359 of the Laws of 1876, entitled 'An act to amend chapter 465 of the Laws of 1875, entitled An act to require the payment of certain premiums to the fire departments of cities and incorporated villages by fire insurance

companies not organized under the Laws of the State of New York but doing business therein,' passed May 28, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to repeal an act entitled 'An act relating to paving streets and constructing sewers in the village of West Troy,' passed March 10, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Williams introduced a bill entitled "An act to authorize the formation of town insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Peck introduced a bill entitled "An act to enable the Cayadutta Plank-road Company, in the town of Johnstown, in the county of Fulton, to extend and continue its corporate existence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Meyenborg introduced a bill entitled "An act to fix and regulate compensation for services rendered by certain officers in the National Guard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Mr. Browning introduced a bill entitled "An act to provide for the examination of persons in proceedings instituted by or on behalf of the municipal authorities, boards and departments in the several cities of this State, pursuant to any statute or ordinance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord introduced a bill entitled "An act further to amend chapter 338 of the Laws of 1875, entitled 'An act to amend an act entitled An act for the relief of the surviving members of the First Regiment of New York volunteers in the war with Mexico,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Brooks introduced a bill entitled "An act regarding the case of abandoned or deserted children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Story presented a petition of citizens of Albany, in favor of modification of the excise laws; which was read and referred to the committee on internal affairs.

Mr. Valentine presented a petition against any amendment of the excise laws; which was read and referred to the same committee.

Mr. Skinner presented a petition of 175 citizens of the city of Watertown, against any change in present excise laws; which was read and referred to the same committee.

Mr. E. Taylor presented a remonstrance of citizens of Genesee county, against a repeal of excise laws; which was read and referred to the same committee.

Mr. Halliday presented a petition of citizens of Tompkins county, against repealing or altering the excise laws; which was read and referred to the same committee.

Mr. Alvord presented a petition of 161 ladies and gentlemen of Syra-

cuse, against any change in present excise laws; which was read and referred to the same committee.

Mr. North presented a petition of Oswego city, against change in present excise laws; which was read and referred to the same committee.

Mr. Halliday presented a petition of citizens of Ithaca, for a swing bridge across Cayuga inlet, and an appropriation therefor; which was read and referred to the committee on canals.

Mr. Brooks presented two petitions for the establishment of reformatory workhouses; which were read and referred to the committee on State prisons.

Mr. Fitzgerald offered for the consideration of the House a resolution, in the words following:

Whereas, The tolls collected by the Hudson River Bridge Company for freight and passengers carried over the bridge at Albany, appear excessive, and bear too heavily upon the commercial interests of the State; therefore,

Resolved, That for the information of this House, the aforesaid company be called upon to furnish, within ten days, a report of the number of tons of freight, the number of passengers and the number of cattle cars carried over the said bridge for the year 1877.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Williams offered for the consideration of the House a resolution, in the words following:

Whereas, The duties of the superintendent of documents, comprising among other things, the filing and indexing of all bills and documents, and a constant attendance at the document room of from twelve to fifteen hours each day, require that said superintendent have assistance; therefore,

Resolved, That John S. Lambert be, and he is hereby appointed assistant superintendent of documents for this House, at a compensation of three dollars per day, without mileage, pay to commence from the day of appointment, and that said compensation be paid in the same manner that other officers of the House are paid.

Ordered, That said resolution be referred to the committee on expenditures of the House.

The bill entitled "An act to repeal chapter 72 of the Laws of 1877, passed March 29, 1877, entitled 'An act to regulate voting in the Western New York Agricultural Society,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

} AYES 62 {
} NOES 13 {

Those who voted in the affirmative, were

Abbott	Converse	Hoyt	Pattengill
Allen	Cormack	Hulme	Peek
Alvord	Crandall	Hurd	Piper
Andrews	Crawford	Jones	Rowland
Baker	Deyoe	Keegan	Searing
Berrigan	Fitzgerald	Kellogg	Seebacher

Berry	Floyd-Jones	Loveland	Sewell
Bouck	Foster	Mekeel	Shanley
Brooks	Gilbert	J. H. Miller	Sheldon
Browning	Halliday	Moller	E. Taylor
Burns	Havens	Mooers	Townsley
Case	I. I. Hayes	Meyenborg	Wheeler
Chappell	Henry	Niven	Wilbor
Chase	Hepburn	North	Williams
Clapp	Holahan	Noyes	Willis
J. M. Clark	Holbrook		

Those who voted in the negative, were

Beard	Keator	D. C. Peck	Story
Curran	Mapes	Sawyer	Thomson
Griggs	Mattison	Skinner	Valentine
Hobbie			

When the name of Mr. Mattison was called, he asked to be, and was not excused from voting.

Mr. Alvord moved to reconsider the vote by which said bill was lost, and that that motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the affirmative.

Mr. Speaker announced the order of business, "general orders of the day."

On motion of Mr. Holahan, at 8 o'clock and 25 minutes, the House adjourned.

TUESDAY, JANUARY 22, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Darling.

The journal of yesterday was read and approved.

Mr. Speaker announced the special order of the day, being the resolution, in the words following:

Whereas, The combination recently reported in the daily press as having been entered into by the railroad and coal interests for the avowed purpose of limiting the supply of coal, and thereby greatly increasing the price thereof to consumers, embraces one or more railway or other corporations acting and operating under franchises granted by this State; therefore,

Resolved, That the committee on railroads be, and it is hereby directed to investigate and inquire into the merits, intent and purposes of what is known as the coal combination, and if it shall appear that any railway or other chartered corporations, protected by the laws of this State, has violated any of its granted rights and privileges, by forming a part of, or participating in said combination, the committee is directed to report within twenty days, by bill or otherwise, some action for the consideration of this Assembly, which will compel such railway or other chartered corporations to respect and obey the laws under which they are protected;

and for the purposes herein mentioned, the committee on railroads is authorized and empowered to send for persons, administer oaths, take testimony and employ a stenographer.

Mr. Brooks moved to amend said resolution by striking out all after the word "protected."

Whereupon, Mr. Browning withdrew that portion of the resolution.

In connection therewith, Mr. D. C. Peck offered the following resolution:

Resolved, That this resolution be respectfully referred to the Attorney General for his opinion, whether any measures, and if so, what measures can be taken by this Legislature, or its committee, in regard to the same, and whether the courts have not now jurisdiction of the same matter.

Mr. Speaker put the question whether the House would agree to said resolution of Mr. D. C. Peck, and it was determined in the negative.

{ AYES 39 }
{ NOES 61 }

Those who voted in the affirmative, were

Abbott	Halliday	Niven	Skinner
Alvord	I. I. Hayes	Noyes	Story
Astor	Hepburn	Palmer	Valentine
Bergen	Hoyt	Pattengill	Wadsworth
Case	Hulme	D. C. Peck	Waring
Chase	Hurd	Peek	Wilbor
Clapp	Kellogg	Piper	Williams
J. M. Clark	King	Pool	Willis
Fish	J. H. Miller	Rowland	Winch
Griggs	Mooers	Sawyer	

Those who voted in the negative, were

Allen	Crawford	Hobbie	Meyenborg
Andrews	Crowley	Holahan	Nelson
Baker	Curran	Holbrook	North
Bath	Daly	Jones	Patterson
Beard	Day	Keator	Searing
Berry	Deyoe	Keegan	Seebacher
Bouck	Douglass	Langner	Sewell
Brooks	Fitzgerald	Loveland	Shanley
Browning	Floyd-Jones	Lowing	Sheard
Brundage	Foster	Mapes	Sheldon
Burns	Frank	Mattison	E. Taylor
Chappell	Galvin	McDonough	Thain
Converse	Gilbert	Mead	Thomson
Cormack	Grady	Mekeel	Townsley
Cosad	J. Hayes	Moller	Wheeler
Crandall			

Mr. Browning moved to amend said resolution by adding at the end thereof the following: "and for the purpose herein mentioned the committee on railroads is authorized and empowered to send for persons, administer oaths and take testimony."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

{ AYES 77 }
{ NOES 23 }

Those who voted in the affirmative, were

Abbott	Curran	Jones	Pattengill
Allen	Daly	Keator	Patterson
Andrews	Day	Keegan	Sawyer
Baker	Deyoe	Kellogg	Searing
Bath	Douglass	Langner	Seebacher
Beard	Fitzgerald	Loveland	Sewell
Berry	Floyd-Jones	Lowling	Shanley
Bouck	Foster	Mapes	Sheard
Brooks	Frank	Mattison	Sheldon
Browning	Galvin	McDonough	Skinner
Brundage	Gilbert	Mead	Sutherland
Burns	Grady	Mekeel	E. Taylor
Chappell	Griggs	J. H. Miller	Thain
Clapp	J. Hayes	Moller	Thomson
Converse	Henry	Mooers	Townsley
Cormack	Hobbie	Meyenborg	Valentine
Cosad	Holahan	Nelson	Wemple
Crandall	Holbrook	North	Wilbor
Crawford	Hurd	Noyes	Winch
Crowley			

Those who voted in the negative, were

Alvord	Fish	King	Pool
Astor	Halliday	Niven	Wadsworth
Berrigan	I. I. Hayes	Palmer	Waring
Case	Hepburn	D. C. Peck	Williams
Chase	Hoyt	Peek	Willis
J. M. Clark	Hulme	Piper	

When the name of Mr. Purdy was called, he stated that he was paired with Mr. Kern.

Mr. Speaker again announced the special order of the day, being the Senate bill entitled "An act making appropriation for continuing work upon the new Capitol during the winter and spring of 1878."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

Senate, "An act making appropriation for continuing work upon the new Capitol during the winter and spring of 1878."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. I. I. Hayes, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Brooks moved to amend by inserting as section 3, the following, the same having been offered in committee of the whole.

"§ 3. The building known as Congress Hall, and deeded to the State by the city of Albany, shall within twenty days after the adjournment

of the present Legislature, be removed by the commissioners of the new Capitol, and the land there made vacant shall be used thereafter exclusively by the State for the purposes of the Capitol. In effecting said removal, said commissioners are hereby authorized to sell or use the material of said building as a whole or in parts, in such manner as in the judgment of said commissioners shall best conduce to the interest of the State."

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Brooks, and it was determined in the affirmative.

{ AYES 84 }
{ NOES 12 }

Those who voted in the affirmative, were

Allen	Crowley	King	Rowland
Alvord	Day	Langner	Searing
Andrews	Douglass	Loveland	Seebacher
Astor	Fish	Lowing	Sewell
Baker	Fitzgerald	Mapes	Sheard
Bath	Foster	Mattison	Sheldon
Beard	Frank	McDonough	Skinner
Berry	Grady	Mead	Story
Bouck	Griggs	Mekeel	Sutherland
Brooks	J. Hayes	J. H. Miller	E. Taylor
Browning	Hepburn	Moller	Thain
Brundage	Hobbie	Mooers	Thomson
Burns	Holahan	Nelson	Townsley
Case	Holbrook	Niven	Valentine
Chase	Hoyt	North	Wadsworth
Clapp	Hulme	Noyes	Waring
J. M. Clark	Hurd	Pattengill	Wemple
Converse	Jones	Patterson	Wheeler
Cosad	Keator	D. C. Peck	Wilbor
Crandall	Keegan	Peek	Williams
Crawford	Kellogg	Pool	Willis

Those who voted in the negative, were

Abbott	Cormack	Gilbert	Palmer
Bergen	Daly	Graham	Piper
Chappell	Floyd-Jones	I. I. Hayes	Shanley

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

On motion of Mr. Alvord, and by unanimous consent, the title of said bill was amended by adding the words following: "and for the demolition of the building known as Congress Hall." Also, changing section 3, engrossed bill, to section 4.

On motion of Mr. Alvord, and by unanimous consent, said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 93 }
 } NOES 2 }

Those who voted in the affirmative, were

Abbott	Crowley	Keator	Pool
Allen	Daly	Keegan	Purdy
Alvord	Day	Kellogg	Rowland
Andrews	Douglass	King	Searing
Astor	Fish	Langner	Seebacher
Baker	Floyd-Jones	Loveland	Sewell
Bath	Foster	Lowing	Shanley
Beard	Frank	Mapes	Sheard
Bergen	Galvin	Mattison	Sheldon
Berry	Gilbert	McDonough	Skinner
Bouck	Grady	Mead	Story
Brooks	Graham	Mekeel	Sutherland
Browning	Griggs	J. H. Miller	E. Taylor
Brundage	Halliday	Moller	Thain
Burns	Henry	Mooers	Thomson
Case	Hepburn	Meyenborg	Townsley
Chappell	Hobbie	Noyes	Valentine
Chase	Holahan	Palmer	Wadsworth
Clapp	Holbrook	Pattengill	Waring
J. M. Clark	Hoyt	Patterson	Wemple
Converse	Hulme	D. C. Peck	Wilbor
Cosad	Hurd	Peek	Williams
Crandall	Jones	Piper	Willis
Crawford			

Those who voted in the negative, were

Cormack Niven

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

By unanimous consent,

Mr. Chappell introduced a bill entitled "An act to amend section 1 of chapter 256 of the Laws of 1877, entitled 'An act to amend chapter 371 of the Laws of 1875, entitled An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers rights and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Leave of absence was granted to Messrs. Parker and C. C. Peck.

On motion of Mr. Alvord, at 2 o'clock and 15 minutes, the House adjourned.

WEDNESDAY, JANUARY 23, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Clark.

The journal of yesterday was read and approved.

The Senate returned the concurrent resolution, relative to papers on file in the Senate and Assembly, and with the Board of Regents of the University, relating to the Tonawanda Manual Labor School, with a message informing that they had concurred in the passage of the same, and no papers found on file in the Senate.

Mr. Griggs introduced a bill entitled "An act in relation to coroners' fees, their term of office, and post-mortem examinations, in Albany county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Story introduced a bill entitled "An act to extend the time for the completion of the act to authorize the construction of a railroad from, at or near Bath ferry, in the town of North Greenbush, to Dow's Point, in the town of East Greenbush, in the county of Rensselaer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Converse introduced a bill entitled "An act to amend chapter 881 of the Laws of 1869, entitled 'An act to amend an act entitled An act to amend an act entitled An act to incorporate the village of Port Byron,' passed March 28, 1855," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Allen introduced a bill entitled "An act for the relief of taxpayers owning mortgaged real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Day introduced a bill entitled "An act in relation to the construction of a sewer in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Clapp introduced a bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Gilbert introduced a bill entitled "An act to suppress the manufacture and sale of intoxicating liquors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. E. Taylor introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Skinner introduced a bill entitled "An act to provide for the

appointment of special game constables," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Flynn introduced a bill entitled "An act to punish attempts to obtain money or value by the willful use of threats, and to declare and define the offence of blackmail," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sheldon introduced a bill entitled "An act to amend section 1, title 3, part 2, chapter 4 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Daly introduced a bill entitled "An act in relation to arrears of taxes in the city of New York, and to provide for the re-issuing of revenue bonds in anticipation of such taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Bath introduced a bill entitled "An act in relation to pawnbrokers and dealers in second-hand articles," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McDonough introduced a bill entitled "An act in relation to the ages of children attending the common schools in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, a bill entitled "An act to provide for the abatement of nuisances by boards of health of incorporated cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Frank introduced a bill entitled "An act relating to horse railroad companies in the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Piper introduced a bill entitled "An act to enable incorporated villages through which railroads run to provide for the transient poor therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a petition on same subject by citizens of the town of Niagara; which was read and referred to the same committee.

Mr. Willers introduced a bill entitled "An act in relation to general elections," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a bill entitled "An act in relation to the election of trustees of school districts in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, a bill entitled "An act to amend an act entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe keeping, and the duties of the State Commissioner in Lunacy,' passed May 12, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Lowing introduced a bill entitled "An act to repeal section 4 of chapter 721, Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish, and section 29 of said act as amended by section 1 of chapter 436, Laws of 1873, so far as they relate to Silver Lake, in the county of Wyoming,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. L. I. Hayes introduced a bill entitled "An act to repeal chapter 115 of the Laws of 1805, passed April 9, entitled 'An act to incorporate the Society of Tammany or Columbian Order, in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to repeal chapter 593, Laws of 1867, entitled 'An act to enable the Society of Tammany or Columbian Order of the city of New York, to purchase and hold real and personal estate, and dispose of the same,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Chappell introduced a bill entitled "An act in relation to coroners' fees and post-mortem examinations in Monroe county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Story introduced a bill entitled "An act to amend section 636 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Reynolds introduced a bill entitled "An act to amend subdivision 4 of section 1 of chapter 257 of the Laws of 1876, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Skinner, Int. No. 57, entitled "An act to legalize and confirm the official acts of James Monroe, a justice of the peace of the town of Worth, in the county of Jefferson," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kellogg, Int. No. 71, entitled "An act in relation to the trial of criminals and the appointment and payment of counsel designated by the court for conducting their defence," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Floyd-Jones, Int. No. 97, entitled "An act to release the interest of the people of the State of New York in certain real estate in Flushing, Queens county, to Elijah Rontas," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Moller, Int. No. 64, entitled "An act

in relation to the keeping open of certain public offices in the county of Westchester," reported adversely thereto.

On motion of Mr. Gilbert, said report was laid on the table.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Prescott, Int. No. 130, entitled 'An act to amend an act entitled 'An act to incorporate the fire department of the village of Rome, Oneida county,' passed April 12, 1855, and that said act be hereafter known as 'An act to incorporate the fire department of the city of Rome, Oneida county,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the petition of the mayor and common council of the city of New York, presented by Mr. Speaker, for the passage of a bill relating to bonded indebtedness of said city, reported a bill entitled "An act relating to the bonded indebtedness of the city of New York, and to provide for the payment of the same," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. I. I. Hayes, Int. No. 4, entitled "An act to secure better public administration in the local government of the city of New York," reported the same for the consideration of the House.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Seebacher, Int. No. 27, entitled "An act to release to Catharine Ringler the interest of the people of the State of New York in and to the surplus moneys deposited with the chamberlain of the city of New York to the credit of the action in the Supreme Court wherein John Adelhardt was plaintiff, and Catharine Ringler and others were defendants," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish moved to discharge the committee on affairs of cities from the further consideration of the bill entitled "An act to amend chapter 359 of the Laws of 1876, entitled 'An act to amend chapter 465 of the Laws of 1875, entitled An act to require the payment of certain premiums to the fire department of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York, but doing business therein,' passed May 28, 1875," and that said bill be referred to the committee on insurance.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Halliday, Int. No. 110, entitled "An act in relation to the chronic insane poor of the county of Tompkins," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Chase called from the table the balance of the report of the committee on expenditures of the House, in the words following:

Whereas, The immense amount of express matter and documents sent from the Assembly, which has to be weighed and stamped each day, renders it necessary to have extra assistance for the purpose of taking prompt and proper care of the documents, mail and express matter of the Assembly; therefore,

Resolved, That William N. Haskell be, and is hereby appointed assistant superintendent of express matter and mailing of documents for the present session, and that he receive the same compensation now by law authorized and paid to the assistant postmaster of the Assembly for the session of 1878; and that Charles L. Keyes be, and is hereby, appointed messenger for the room used for express matter and the mailing of documents, and that he receive the same compensation now by law authorized and paid to the general messengers of the Assembly for 1878; and that each of said compensations be paid in the same manner that other officers of the Assembly are paid.

Mr. Browning moved to amend said report as follows:

Resolved, That the Clerk of the Assembly designate from the general messengers one or more from their number, each day, to assist the superintendent of documents in the discharge of his duties.

Mr. Brooks moved to lay the report of the committee, with the amendment, on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Brooks, and it was determined in the affirmative.

{ AYES 79 }
{ NOES 27 }

Those who voted in the affirmative, were

Abbott	Curran	Kern	Sawyer
Allen	Daly	Langner	Searing
Andrews	Day	Loveland	Seebacher
Astor	Fish	Lowing	Sheard
Baker	Fitzgerald	Mapes	Sheldon
Bath	Floyd-Jones	Mattison	Skinner
Beard	Foster	McDonough	Story
Bergen	Frank	Mead	Strack
Berry	Galvin	Mekeel	Sutherland
Bouck	Griggs	J. H. Miller	E. Taylor
Brooks	Halliday	Moller	Thain
Browning	Hamilton	Mooers	Thomson
Case	Henry	Neilson	Townsley
Chappell	Hobbie	Noyes	Valentine
J. M. Clark	Holahan	Patterson	Waring
Converse	Holbrook	D. C. Peck	Wemple
Cormack	Hurd	Peek	Willers
Cosad	Keator	Piper	Willis
Crandall	Keegan	Pool	Worth
Crowley	Kellogg	Prescott	

Those who voted in the negative, were

Alvord	Hepburn	North	Sewell
Burns	Hoyt	Palmer	Shanley
Chase	Hulme	Parker	Terry
Gilbert	Jones	Pattengill	Wadsworth
Grady	King	Purdy	Wheeler
Graham	S. V. R. Miller	Reynolds	Wilbor
J. Hayes	Meyenborg	Rowland	

Mr. Sheard, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Seebacher, Int. No. 47, entitled

"An act regulating the sale of leaf tobacco in the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bergen presented a petition in favor of the passage of an act to close a part of Second street, in Parkville, Kings county; which was read and referred to the committee on the affairs of cities.

Mr. Prescott presented a petition for an appropriation to purchase books for the law library of Utica, Oneida county; which was read and referred to the committee on ways and means.

Mr. Fish presented a resolution of the board of supervisors of Putnam county petitioning to have Putnam county excluded from the provisions of "An act in regard to county treasurers," passed June 9, 1877; which was read and referred to the committee on ways and means.

Mr. Brooks presented two petitions for the establishment of reformatory workhouses; which were read and referred to the committee on State prisons.

Mr. J. M. Clark presented a petition of citizens of Yates county for the release of the Crooked Lake canal to the Penn Yan and New York Railroad Company; which was read and referred to the committee on canals.

Mr. Beard presented a petition of citizens of Horseheads, Chemung county, to have a dam placed across the Chemung canal in said village; which was read and referred to the committee on canals.

Mr. Sawyer presented a petition of legal voters of Spencer, N. Y., for the passage of a law absolutely prohibiting the sale of intoxicating drink; which was read and referred to the committee on internal affairs.

Messrs. Griggs and Chase presented petitions in favor of modification of excise laws; which were read and referred to the committee on internal affairs.

Messrs. Deyoe, Chappell, Wemple, Mattison, Wheeler, Brooks, Sawyer, S. V. R. Miller, Gilbert and Cormack presented petitions against any change in the present excise laws; which was read and referred to the committee on internal affairs.

The Senate returned the Senate bill entitled "An act making appropriations for continuing work upon the new Capitol during the winter and spring of 1878, and for the demolition of the buildings known as Congress Hall," with a message informing that they had concurred in the amendments of the Assembly, with the following amendment:

Strike out the words "twenty days," and insert the words "sixty days."

Mr. Alvord moved to concur in the amendment made in the Senate to said bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

} AYES 37 {
} NOES 70 {

Those who voted in the affirmative, were

Abbott	Floyd-Jones	King	Shanley
Allen	Flynn	Lowing	Story
Andrews	Galvin	J. H. Miller	Sutherland
Bergen	Graham	Meyenborg	E. Taylor
Bouck	I. I. Hayes	D. C. Peck	Valentine
Case	J. Hayes	Piper	Wheeler

Chappell	Holbrook	Purdy	Wilbor
Daly	Keator	Rowland	Willis
Douglass	Kern	Sewell	Worth
Fish			

Those who voted in the negative, were

Alvord	Day	Loveland	Pool
Astor	Fitzgerald	Mapes	Prescott
Baker	Foster	Mattison	Reynolds
Bath	Frank	McDonough	Searing
Beard	Gilbert	Mead	Seebacher
Berry	Grady	Mekeel	Sheard
Brooks	Griggs	Moller	Sheldon
Browning	Hamilton	Mooers	Skinner
Burns	Henry	Neilson	Strack
Chase	Hobbie	Nelson	Terry
Clapp	Holahan	North	Thain
J. M. Clark	Hoyt	Noyes	Thomson
Converse	Hulme	Palmer	Townsley
Cormack	Hurd	Parker	Wadsworth
Cosad	Jones	Pattengill	Waring
Crandall	Keegan	Patterson	Wemple
Crowley	Kellogg	Peek	Willers
Curran	Langner		

Mr. Alvord moved to reconsider the vote by which the House refused to concur in the Senate amendment.

Mr. Daly moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative.

{ AYES 67 }
{ NOES 47 }

Those who voted in the affirmative, were

Abbott	Fish	Keator	Purdy
Allen	Fitzgerald	Kern	Rowland
Alvord	Floyd-Jones	King	Sewell
Andrews	Flynn	Lowing	Shanley
Astor	Foster	Mapes	Story
Beard	Galvin	J. H. Miller	Strack
Bergen	Graham	S. V. R. Miller	Sutherland
Berrigan	Halliday	Moller	E. Taylor
Berry	I. I. Hayes	Mooers	Thain
Case	J. Hayes	Meyenborg	Valentine
Chappell	Henry	Noyes	Wheeler
Chase	Hepburn	Palmer	Wilbor
Converse	Holbrook	Pattengill	Williams
Cormack	Hoyt	Patterson	Willis
Crandall	Hulme	D. C. Peck	Winch
Daly	Hurd	Piper	Worth
Douglass	Jones	Prescott	

Those who voted in the negative, were

Baker	Deyoe	Mattison	Seebacher
Bath	Frank	McDonough	Sheard
Bouck	Gilbert	Mead	Sheldon
Brooks	Grady	Mekeel	Skinner
Browning	Griggs	Neilson	Terry
Clapp	Hamilton	Nelson	Thomson
J. M. Clark	Hobbie	North	Townsley
Cosad	Holahan	Parker	Wadsworth
Crawford	Keegan	Peek	Waring
Crowley	Kellogg	Pool	Wemple
Curran	Langner	Reynolds	Willers
Day	Loveland	Searing	

Mr. Speaker then put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 79 }
} NOES 35 }

Those who voted in the affirmative, were

Abbott	Fitzgerald	King	Sawyer
Allen	Floyd-Jones	Lowing	Searing
Alvord	Flynn	Mapes	Seebacher
Andrews	Foster	J. H. Miller	Sewell
Bath	Galvin	S. V. R. Miller	Sheard
Beard	Graham	Moller	Sheldon
Bergen	Halliday	Mooers	Story
Berrigan	Hamilton	Meyenborg	Strack
Berry	I. I. Hayes	Neilson	Sutherland
Case	J. Hayes	Noyes	E. Taylor
Chappell	Henry	Palmer	Terry
Chase	Hepburn	Parker	Thain
Clancy	Hobbie	Pattengill	Valentine
Converse	Holbrook	Patterson	Wheeler
Crandall	Hoyt	D. C. Peck	Wilbor
Crowley	Hulme	Piper	Williams
Curran	Hurd	Prescott	Willis
Daly	Jones	Purdy	Winch
Douglass	Keator	Reynolds	Worth
Fish	Kern	Rowland	

Those who voted in the negative, were

Astor	Day	Langner	Pool
Brooks	Deyoe	Loveland	Skinner
Browning	Frank	Mattison	Thomson
Burns	Gilbert	McDonough	Townsley
Clapp	Grady	Mead	Wadsworth
J. M. Clark	Griggs	Mekeel	Waring
Cormack	Holahan	Neilson	Wemple
Cosad	Keegan	North	Willers
Crawford	Kellogg	Peek	

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

By unanimous consent,

Mr. Moller offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That the Secretary of State be authorized to issue to the members of each branch of the Legislature, one copy each of the book known as Vol. 12, Colonial History of the State of New York.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Willers offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That section 6 of article 3 of the Constitution be amended so as to read as follows :

§ 6. Each member of the Legislature shall receive for his services an annual salary of \$750. The members of either House shall also receive the sum of one dollar for every ten miles they shall travel in going to and returning from their place of meeting, once in each session, on the most usual and direct route. Senators, when the Senate alone is convened in extraordinary session, or when serving as members of the court for the trial of impeachments, and such members of the Assembly, not exceeding seven in number, as shall be appointed managers of an impeachment, shall receive an additional allowance of eight dollars a day.

Resolved (if the Senate concur), That the foregoing amendment be referred to the Legislature, to be chosen at the next general election of Senators, and that in conformity to section 1 of article 13 of the Constitution, it be published for three months previous to the time of such election.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Mr. Mead offered for the consideration of the House a resolution, in the words following :

Whereas, All men, in a republic like ours, be they poor or rich, are equally entitled to the fullest protection of the law, in the unrestricted enjoyment of all the blessings of our form of government, and neither the one class nor the other has any right whatever to be protected by law in any aggressive movement or encroachment upon the rights of the other; and

Whereas, In the language of Governor Robinson, in his last annual message to the Legislature, "much as all men are dependent upon the laws for protection, there is no one class more constantly in need of it, or over whom its protecting power should be more constantly exercised, than the poor and laboring class," and in the spirit of such language the Legislature should at once make every possible effort to provide a suitable and efficient remedy for the burthensome evils of which the poor and laboring class complain; and

Whereas, The conflict developed by the recent riots in this and other States, between the poor and laboring classes and rich corporations (existing by virtue of legislative enactment) should, so far as possible, be remedied by the interposition of the Legislature, so as to enable the

poor man to enjoy the same benefits and protection of law as are already vouchsafed to the rich ; and

Whereas, The recurrence of all such attempts at riot as those above referred to, which in this State alone cost the people not less than \$230,000, may be in the future entirely obviated, by the enactment of proper laws for the judicious protection of all classes ; therefore

Resolved, That the judiciary committee be and they are hereby requested to take into consideration, as soon as possible, the subject matter herein indicated, and, if possible, report by bill some suitable and efficient remedy for the evils mentioned.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Mr. Daly offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That the Governor be, and hereby is authorized to appoint a commission of not more than three persons to consider the subject of the present system of taxation of real and personal property in the city of New York, and to report (within one month after their appointment) to the present Legislature, what changes, if any, are desirable therein.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Mr. Wemple offered for the consideration of the House a resolution, in the words following :

Resolved, That the Comptroller be, and he is hereby requested to furnish this House with a copy of the contract for legislative printing recently entered into ; also, with a copy of the contract for department printing now in force, and that the same be printed, and placed on our files.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Beard offered for the consideration of the House a resolution, in the words following :

Resolved, That the committee on expenditures of the House be requested to ascertain the number of useless attendants in this House, and report within ten days.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Story offered for the consideration of the House a resolution, in the words following :

Whereas. On the 9th day of April, 1856, an act was passed authorizing the construction of a bridge across the Hudson river at Albany, under the name of the "Hudson River Bridge Company," and

Whereas, It is provided by section twelve of this act, that after the said bridge shall have been completed, such tolls and charges may be collected for crossing the same on foot and with wagons, cars or carriages of any kind, and with horses, or other animals, or otherwise, as the directors may from time to time establish, subject to the approval of the Canal Board ; provided, however, that such tolls shall be so regulated that they shall not yield a net annual revenue to exceed ten per cent upon the amount of such capital stock ; and

Whereas, It appears that the said Hudson River Bridge Company has not submitted to the Canal Board their sheet of toll rates since the year 1866, therefore

Resolved, That the said Hudson River Bridge Company, at Albany,

be and is hereby directed to report to this Legislature within ten days, the amount of tolls received by said bridge company since their last report to the Canal Board, which statement to be verified under oath by the president and secretary of said company.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish offered for the consideration of the House a resolution, in the words following :

Resolved, That 1,000 copies of Assembly document, No. 30, being the list of the committees of the Assembly, be printed for the use of the Assembly.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Fish offered for the consideration of the House a resolution, in the words following :

Resolved, That the bill introduced by Mr. I. I. Hayes, relating to the charter of the city of New York, and by the Speaker, relating to the funding of the indebtedness of the city of New York, be recommitted to the committee on affairs of cities, when printed.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Hobbie introduced a bill entitled "An act to provide means for the employment of tramps, and to prevent tramping," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Speaker presented from the German American Bank a list of unclaimed balances, as required by law ; which was laid on the table and ordered printed.

(See Doc. No. 33.)

The Clerk appointed Charles L. Keyes as Clerk's messenger.

The order of business, "general orders," being announced,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the board of trustees of the village of West Mount Vernon, in the county of Westchester, to discontinue and close part of Railroad avenue in said village, and grant or lease the same to the Harlem Railroad Company, for the erection of a railroad station building.

"An act relating to animals."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Brooks, from said committee, reported in favor of the passage of said first mentioned bill ; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Brooks, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments, the title amended so as to read "An act relating to diseased animals;" which report was agreed to, and said bill ordered engrossed for a third reading.

A message from the Senate was received and read informing of concurrence in the amendment of the Assembly to the bill entitled as follows :

"An act making appropriation for continuing work upon the new Capitol during the winter and spring of 1878, and for the demolition of the buildings known as Congress Hall."

Ordered, That the Clerk return said bill to the Senate.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

Whereas, The ventilation of the Assembly Chamber is extremely imperfect and injurious to the health of the members; therefore,

Resolved, That the Sergeant-at-Arms be authorized and directed to have ventilators inserted in the windows of this chamber, at a cost not to exceed thirty dollars.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Burns stated that when he voted to-day on the Capitol appropriation bill, he voting in the negative, it was his intention to have voted in the affirmative.

On motion of Mr. Alvord, at 1 o'clock and 35 minutes the House adjourned.

THURSDAY, JANUARY 24, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Selkirk.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to authorize the board of education of Fairport union free school district, No. 9, of the town of Perinton, Monroe county, to issue coupon bonds to replace the moneys lost by the district, through the defalcation of its treasurer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act in relation to the property and families of absconding persons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act for the relief of the Buffalo Eye and Ear Infirmary," which was read the first time, and by unanimous consent was also read the second time, and then said bill, on motion of Mr. Grady, was laid aside until such time as the Assembly bill on same subject, with same title, should be reported from the committee on charitable and religious societies.

The privileges of the floor were granted to Hon. Horatio Ballard and Hon. Townsend Potter.

This being the day assigned by the rules for the consideration of general orders,

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to legalize and confirm the official acts of James Monroe, a justice of the peace of the town of Worth, in the county of Jefferson."

"An act to release the interest of the people of the State of New York in certain real estate in Flushing, Queens county, to Elijah Rontas."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Daly, from said committee, reported in favor of the passage of said first and second mentioned bills; which report was agreed to, and said bills ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act to amend chapter 166 of the Laws of 1877, entitled 'An act to amend chapter 435 of the Laws of 1868, entitled An act to incorporate the village of Hamilton, in the town of Hamilton, in the county of Madison, and repeal its present charter, and to repeal chapter 250 of the Laws of 1870, chapter 18 of the Laws of 1874, and chapter 142 of the Laws of 1875.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fish, from said committee, reported in favor of the passage of said first mentioned bill, with an amendment, the title amended by inserting after the word "Hamilton," the words "in the town of Hamilton;" which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Clapp introduced a bill entitled "An act to amend chapter 344 of the Laws of 1877, entitled 'An act to authorize railroad corporations to pay commutation money for highway labor to the commissioner of highways of towns,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Bergen introduced a bill entitled "An act to provide for a revision and codification of the poor laws of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kern introduced a bill entitled "An act to amend title 4 of chapter 4 of part 2 of the Revised Statutes, relating to accumulations of personal property, and to expectant estates in such property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Seebacher introduced a bill entitled "An act to amend an act entitled 'An act to confer additional powers upon the metropolitan police relating to the inspection of steam boilers,' passed April 9, 1862." which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Strack introduced a bill entitled "An act relating to the expenses of the board of county canvassers of the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McDonough introduced a bill entitled "An act to amend an act entitled 'An act to require the Eighth Avenue Railroad Company to extend its railroad route in the city of New York, and to regulate the use and operation of the railroad of said company,' passed May 19, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Berrigan introduced a bill entitled "An act for the better preservation of life in hotels in the State of New York," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Prescott introduced a bill entitled "An act to amend an act entitled 'An act to authorize the appointment of a librarian to take charge of the law library in the Fifth judicial district, located in Utica,' passed April 5, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cosad introduced a bill entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864, and the several acts amendatory thereof," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Fish introduced a bill entitled "An act supplemental to chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, "An act to secure better public administration in the local government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hepburn introduced a bill entitled "An act further to amend section 2 of title 2 of chapter 13 of part 1 of the Revised Statutes, entitled "of the assessment and collection of taxes," and to amend chapter 427 of the Laws of 1855, entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Willers introduced a bill entitled "An act to repeal an act entitled 'An act to provide for the organization and regulation of certain business corporations,' passed June 21, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a bill entitled "An act in relation to the authentication by the Secretary of State of the official acts of notaries public, for use in foreign countries or elsewhere out of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act in relation to the constitutional oath of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Moller introduced a bill entitled "An act in relation to the keeping open of the office of the county clerk or register in the several counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mooers introduced a bill entitled "An act to provide for the conveyance of certain lands around Chazy lake, flowed by improvements of the hydraulic power on the Great Chazy river," which was read the second time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. S. V. R. Miller introduced a bill entitled "An act concerning the

colonial records of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. I. I. Hayes introduced a bill entitled "An act to prevent frequent changes of text-books," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Thomson introduced a bill entitled "An act in relation to the holding of town meetings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

The privileges of the floor were granted to Hon. Luther E. Wadleigh.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Moller, Int. No. 12, entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of the State," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Story, Int. No. 136, entitled "An act for the destruction and removal of buildings known as Congress Hall, adjoining the Capitol," reported adversely thereto, for the reason that the subject matter is provided for in another bill already passed; which report was agreed to.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord, Int. No. 67, entitled "An act to repeal a certain portion of chapter 193 of the Laws of 1877, entitled 'An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Griggs, Int. No. 38, entitled "An act to authorize the payment of certain moneys out of the State treasury to Hamilton B. Russell, administrator of Mary McDonald, deceased, heir-at-law, and next of kin, Edward Gleason, deceased," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord, Int. No. 62, entitled "An act to amend section 5, chapter 473 of the Laws of 1877, entitled 'An act to provide for the determination and payment of claims for goods, merchandise and materials furnished, and labor performed in fitting up and furnishing armories and drill-rooms in the city of New York,' passed June 22, 1877," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord, Int. No. 77, entitled "An act to amend chapter 220 of the Laws of 1862, entitled 'An act to reorganize the State Asylum for Idiots, and to provide for the government and management thereof,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill, introduced by Mr. Halliday, Int. No. 92, entitled "An act to amend an act entitled 'An act for the protection of purchasers of real estate upon sales made by order of surrogates,' passed March 23, 1850," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to repeal an act, passed March 7, 1872, entitled 'An act to amend an act entitled An act to amend an act, passed March 23, 1850, entitled An act for the protection of purchasers of real estate upon sales by order of surrogates, passed April 20, 1869,' and to repeal an act, passed April 20, 1869, entitled 'An act to amend an act, passed March 23, 1850, entitled An act for the protection of purchasers of real estate upon sales by order of surrogates, and also to amend an act entitled An act for the protection of purchasers of real estate upon sales made by order of surrogates,' passed March 23, 1850, so as to apply the provisions of said act to mortgages and leases," which report was agreed to and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to legalize and confirm the official acts of John W. C. Leveridge of the city of New York, a notary public," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The privileges of the floor were granted to the Hon. Wm. E. Halsey, a former member of the House.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Day, Int. No. 25, entitled "An act for the relief of the Buffalo Eye and Ear Infirmary," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Day, and by unanimous consent, the Senate bill, same title and same subject, was substituted for said bill.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Cormack, Int. No. 2, entitled "An act to amend section 1 of chapter 803, entitled 'An act to amend the acts to provide for the incorporation of religious societies so far as the same relate to churches in connection with the Protestant Episcopal church,'" reported adversely thereto.

On motion of Mr. Cormack, said report was laid on the table.

Mr. Sheard, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Langner, Int. No. 55, entitled "An act to amend section 3 of chapter 564 of the Laws of 1875, entitled 'An act to amend chapter 122 of the Laws of 1851 entitled An act for the incorporation of building, mutual, loan and accumulating fund associations,' passed June 9, 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Chase, from the committee on expenditures of the House, to which was referred the resolution relative to the appointment of a superintendent of the wrapping department, reported in favor of the adoption of the following resolution:

Whereas, The Sergeant-at-Arms requires assistance in the wrapping department; therefore,

Resolved, That Clinton L. Baxter be and is hereby appointed superintendent of the wrapping department, and that he shall receive the same

compensation as the superintendent of documents and be paid in the same manner and for the same time.

Mr. Brooks moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 24 }
{ NOES 86 }

Those who voted in the affirmative, were

Allen	Burns	Holahan	Piper
Baker	Cormack	Keegan	Searing
Bath	Day	Moller	Skinner
Bergen	Foster	Neilson	Thomson
Brooks	Galvin	Nelson	Townsley
Browning	Grady	C. C. Peck	Willers

Those who voted in the negative, were

Abbott	Floyd-Jones	Lowing	Reynolds
Alvord	Flynn	Mapes	Rowland
Andrews	Gilbert	Mattison	Sawyer
Astor	Griggs	McDonough	Seebacher
Beard	Halliday	Mead	Sewell
Berrigan	Hamilton	Mekeel	Shanley
Berry	J. Hayes	J. H. Miller	Sheard
Case	I. I. Hayes	S. V. R. Miller	Sheldon
Chappell	Henry	Mooers	Story
Chase	Hepburn	Meyenborg	Strack
Clancy	Hobbie	North	Sutherland
Clapp	Holbrook	Noyes	E. Taylor
J. M. Clark	Hoyt	Palmer	Terry
Converse	Hulme	Parker	Valentine
Cosad	Hurd	Pattengill	Wadsworth
Crandall	Jones	Patterson	Waring
Crowley	Keator	D. C. Peck	Wheeler
Curran	Kellogg	Peek	Wilbor
Daly	Kern	Pool	Williams
Deyoe	King	Prescott	Willis
Fish	Langner	Purdy	Winch
Fitzgerald	Loveland		

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

{ AYES 79 }
{ NOES 34 }

Those who voted in the affirmative, were

Abbott	Curran	Lowing	Rowland
Alvord	Deyoe	Mapes	Sawyer
Andrews	Fish	Mattison	Seebacher
Astor	Fitzgerald	Mekeel	Sewell
Beard	Flynn	J. H. Miller	Shanley
Berrigan	Gilbert	S. V. R. Miller	Sheard
Berry	Griggs	Mooers	Sheldon
Browning	I. I. Hayes	Meyenborg	Strack
Burns	J. Hayes	North	Sutherland

Case	Hepburn	Noyes	E. Taylor
Chappell	Hobbie	Palmer	Terry
Chase	Holbrook	Parker	Valentine
Clancy	Hoyt	Patterson	Wadsworth
Clapp	Hulme	D. C. Peck	Waring
J. M. Clark	Hurd	Peek	Wheeler
Converse	Jones	Pool	Wilbor
Cosad	Keator	Prescott	Williams
Crandall	Kellogg	Proper	Willis
Crawford	Kern	Purdy	Winch
Crowley	King	Reynolds	

Those who voted in the negative, were

Allen	Foster	Loveland	Piper
Baker	Galvin	McDonough	Searing
Bath	Grady	Mead	Skinner
Bergen	Halliday	Moller	Story
Brooks	Hamilton	Neilson	Thain
Cormack	Henry	Nelson	Thomson
Daly	Holahan	Pattengill	Townseley
Day	Keegan	C. C. Peck	Willers
Floyd-Jones	Langner		

When the name of Mr. Beard was called he asked to be, and was not, excused from voting.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the board of trustees of the village of West Mount Vernon, in the county of Westchester, to discontinue and close part of Railroad avenue in said village, and grant or lease the same to the Harlem railroad company for the erection of a railroad station building."

"An act relating to diseased animals."

Mr. Wadsworth, from the committee on agriculture, to which was referred the bill introduced by Mr. Halliday, Int. No. 104, entitled "An act to prevent fraud in the manufacture and sale of commercial privileges," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wadsworth, from the committee on agriculture, to which was referred the Senate bill entitled "An act to repeal chapter 72 of the Laws of 1877, passed March 29, 1877, entitled 'An act to regulate voting in the Western New York Agricultural Society,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Alvord, said report with bill was laid on the table.

Messrs. Foster, Crowley, Day, Langner, Shanley, Baker, Hollahan, Alvord and Willers presented petitions in favor of modification of excise laws; which were read and referred to the committee on internal affairs.

Messrs. S. V. R. Miller, Hobbie, Sutherland and Valentine presented petitions against amendment of excise laws; which were read and referred to the committee on internal affairs.

Mr. Bergen presented a petition in favor of an act to provide for a revision and codification of the poor laws of this State; which was read and referred to the committee on the judiciary.

Mr. Keegan presented a petition of the board of town officers, of the town of Newtown, against the passage of a law to authorize the religious society, in the city of New York, known as the Congregation Rodef Scholem, to buy, hold and dispose of land for cemetery purposes in the town of Newtown, Queens county; which was read and referred to the committee on charitable and religious societies.

Mr. Allen presented a petition of school commissioners and others of Erie county, asking that school law be amended so that school year shall commence September first; which was read and referred to the committee on public education.

Mr. Andrews presented a petition against amendment to the charter of the city of Binghamton; which was read and referred to the committee on the affairs of cities.

Mr. Speaker presented a communication from the Auditor of the Canal Department relative to toll sheet.

On motion of Mr. Alvord, said communication was referred to the committee on canals and ordered printed.

The Senate sent for concurrence the concurrent resolution proposing an amendment to section six, article 6 of the Constitution, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brooks called from the table a resolution previously offered by him, in the words following:

Resolved, That the committee on apportionment be required to report within the next thirty days a bill providing for the apportionment of the State, in accordance with article 3, sections 4 and 5 of the Constitution.

Mr. Fish moved to substitute for said resolution the following:

Whereas, The fourth section of the third article of the Constitution of this State contains the following language: "An enumeration of the inhabitants of the State shall be taken, under the direction of the Legislature, in the year 1855, and at the end of every ten years thereafter, and the said districts shall be so altered by the Legislature at the first session after the return of every enumeration; and

Whereas, The Legislature neglected to alter the districts at the time mentioned in the Constitution;" and

Whereas, A great difference of opinion exists as to the right of the present Legislature to apportion the State; therefore,

Resolved, That the Attorney-General be respectfully requested to furnish this Assembly his opinion as to the right of the present Legislature to apportion the State.

Mr. Alvord moved to lay said resolution, with substitute, on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

} AYES 38 {
} NOES 71 {

Those who voted in the affirmative, were

Abbott	I. I. Hayes	Mooers	Sewell
Alvord	Hobbie	North	Story
Andrews	Holbrook	Noyes	Terry
Astor	Hurd	Palmer	Valentine
Case	Jones	Parker	Wadsworth

Chappell	Keator	Peek	Wheeler
Clapp	Kern	Pool	Wilbor
Crandall	King	Reynolds	Willis
Deyoe	J. H. Miller	Sawyer	Winch
Fish	S. V. R. Miller		

Those who voted in the negative, were

Allen	Curran	Keegan	Piper
Baker	Daly	Kellogg	Purdy
Bathe	Day	Langner	Rowland
Beard	Douglass	Loveland	Seebacher
Bergen	Fitzgerald	Lowing	Shanley
Berrigan	Floyd-Jones	Mapes	Sheard
Berry	Flynn	Mattison	Sheldon
Brooks	Foster	McDonough	Skinner
Browning	Galvin	Mead	Strack
Burns	Gilbert	Mekeel	Sutherland
Chase	Grady	Moller	E. Taylor
Clancy	Halliday	Meyenborg	Thain
J. M. Clark	Hamilton	Neilson	Thomson
Converse	J. Hayes	Nelson	Townsley
Cormack	Henry	Pattengill	Waring
Cosad	Hepburn	Patterson	Willers
Crawford	Holahan	C. C. Peck	Williams
Crowley	Hulme	D. C. Peck	

When the name of Mr. Prescott was called, he stated that he had paired with Mr. Roberts.

When the name of Mr. Hoyt was called, he stated that he had paired with Mr. Havens.

On motion of Mr. Brooks, and by unanimous consent, the resolution was amended by striking out the word "required," and inserting in lieu thereof the word "request."

On motion of Mr. Brooks, and by unanimous consent, the substitute of Mr. Fish was amended by adding at the end thereof the following: "and said Attorney-General be requested to give said opinion within five days."

Mr. Fish moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

Mr. Fitzgerald called from the table a resolution previously offered by him in the words following:

Whereas, The tolls collected by the Hudson River Bridge Company for freight and passengers carried over the bridge at Albany, appear excessive, and bear too heavily upon the commercial interests of the State; therefore,

Resolved, That for the information of this House, the aforesaid company be called upon to furnish, within ten days, a report of the number of tons of freight, the number of passengers and the number of cattle cars carried over the said bridge for the year 1877.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

Resolved, That 3,000 copies of the annual message of the Governor be printed for the use of the Assembly.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Speaker presented the report of the Wadsworth Library at Geneseo, New York; which was laid on the table and ordered printed.

(See Doc. No. 35.)

The bill entitled "An act to authorize the board of trustees of the village of West Mount Vernon, in the county of Westchester, to discontinue and close part of Railroad avenue in said village, and grant or lease the same to the Harlem Railroad Company for the erection of a railroad station building," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 83 {
} NOES 00 {

Those who voted in the affirmative, were

Abbott	Curran	King	Purdy
Allen	Daly	Lowing	Reynolds
Alvord	Day	Mattison	Rowland
Andrews	Deyoe	McDonough	Sawyer
Astor	Douglass	Mekeel	Sewell
Baker	Fish	J. H. Miller	Shanley
Bathe	Fitzgerald	S. V. R. Miller	Sheard
Beard	Floyd-Jones	Moller	Sheldon
Berrigan	Flynn	Moers	Skinner
Berry	Foster	Neilson	Sutherland
Burns	Galvin	Nelson	Terry
Case	Hamilton	Palmer	Thain
Chappell	Hepburn	Parker	Thomson
Chase	Hobbie	Pattengill	Townsley
Clancy	Holbrook	Patterson	Wadsworth
Clapp	Hoyt	D. C. Peck	Waring
J. M. Clark	Hurd	Peek	Wheeler
Converse	Jones	Piper	Wilbor
Crandall	Keegan	Pool	Willers
Crawford	Kellogg	Prescott	Willis
Crowley	Kern	Proper	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relating to diseased animals," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

} AYES 84 }
 } NOES 1 }

Those who voted in the affirmative, were

Abbott	Deyoe	Loveland	Rowland
Alvord	Fish	Lowing	Sawyer
Andrews	Fitzgerald	Mattison	Sewell
Astor	Floyd-Jones	McDonough	Shanley
Baker	Foster	Mekeel	Sheard
Bathe	Galvin	J. H. Miller	Sheldon
Beard	Grady	S. V. R. Miller	Skinner
Berrigan	J. Hayes	Moller	Strack
Berry	Henry	Noyes	Sutherland
Brooks	Hepburn	Palmer	E. Taylor
Browning	Hobbie	Parker	Terry
Burns	Holahan	Pattengill	Thain
Chappell	Holbrook	Patterson	Thomson
Chase	Hulme	C. C. Peck	Townsley
Clapp	Hurd	D. C. Peck	Valentine
J. M. Clark	Jones	Peek	Waring
Cosad	Keegan	Piper	Wheeler
Crandall	Kellogg	Pool	Wilbor
Crowley	Kern	Prescott	Willers
Daly	King	Purdy	Williams
Day	Langner	Reynolds	Willis

For the negative,

Proper

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 1 o'clock and 20 minutes, the House adjourned.

FRIDAY, JANUARY 25, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Walsh.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to amend chapter 449 of the Laws of 1876, entitled 'An act explaining, defining and regulating the effect and application of, and otherwise relating to, the act passed at this session of the Legislature, entitled 'An act relating to courts, officers of justice and civil proceedings,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to regulate the time of the payment of the salary of the judges of the city court of Brooklyn, of the county judge and surrogate of the county of Kings."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented the report of the treasurer of the Poppenhusen Institute for 1877; which was laid on the table and ordered printed.

(*See Doc. No. 37.*)

Mr. Williams, introduced a bill entitled "An act to repeal all acts and parts of acts relating to the preservation and protection of fish in the waters of Chautauqua Lake," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Allen introduced a bill entitled "An act to amend an act entitled 'An act in relation to coroners' fees and post mortem examinations in Erie county,' passed May 16, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The privileges of the floor were granted to the Hon. John A. Griswold.

Mr. Clapp introduced a bill entitled "An act establishing a ferry from Foots Point, in the town of Crown Point, county of Essex, across Lake Champlain, to Port Franklin, so called, in the town of Bridgeport, State of Vermont," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Thomson introduced a bill entitled "An act in relation to encroachments upon public highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Waring introduced a bill entitled "An act to enable the Home for Incurables to take and hold real estate to the amount of \$250,000 in value," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Meyenborg introduced a bill entitled "An act granting free passage through toll-gates and over toll bridges and ferries to the National Guard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Mr. Sheldon introduced a bill entitled "An act to further amend chapter 518 of the laws of 1864, entitled 'An act to protect butter and cheese manufacturers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Seebacher introduced a bill entitled "An act to repeal section 1 of an act entitled 'An act relative to summary proceedings to recover the possession of lands for non-payment of rent, and for holding over after expiration of term in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fitzgerald introduced a bill entitled "An act to provide for the sanitary inspection of common schools and school buildings in the city and county of New York," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on public health.

Mr. Winch introduced a bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Case introduced a bill entitled "An act in relation to the bonded indebtedness of villages, cities, towns and counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Willers introduced a bill entitled "An act to amend chapter 145 of the Laws of 1868, entitled 'An act to regulate the expenditures for poor purposes in Seneca county,'" which was read the first time, and by unanimous consent was also read the second time, when,

On motion of Mr. Willers, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Cosad	Langner	Searing
Allen	Crowley	Lowing	Seebacher
Alvord	Curran	Mapes	Sewell
Andrews	Daly	McDonough	Shanley
Astor	Day	Mead	Sheldon
Baker	Deyoe	Mekeel	Skinner
Bathe	Floyd-Jones	S. V. R. Miller	Strack
Beard	Galvin	Moller	Sutherland
Bergen	Gilbert	Mooers	E. Taylor
Berrigan	Grady	North	Terry
Berry	Hobbie	Noyes	Thain
Bouck	Holahan	Palmer	Valentine
Browning	Holbrook	Pattengill	Waring
Brundage	Hoyt	Patterson	Wemple
Chappell	Hurd	D. C. Peck	Wheeler
Chase	Jones	Peek	Wilbor
Clancy	Keator	Piper	Willers
Clapp	Keegan	Prescott	Williams
J. M. Clark	Kellogg	Proper	Willis
Converse	Kern	Purdy	Winch
Cormack	King	Reynolds	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Keator introduced a bill entitled "An act in relation to the office of railroad commissioners in Ulster county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Berry introduced a bill entitled "An act authorizing the Syracuse,

Chenango and New York Railroad Company to use, occupy and enjoy the towing path of a portion of the Chenango canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Seebacher, Int. No. 73, entitled "An act to amend an act of the Legislature of the State of New York, entitled 'An act for the protection of female employes in the city of New York,' passed April 22, 1867," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Allen, Int. No. 24, entitled "An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Speaker, Int. No. 135, entitled "An act to amend chapter 324 of the Laws of 1869, entitled 'An act for the election of a receiver of taxes and assessments for the town of Portland and village of Peekskill,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. D. C. Peck, Int. No. 78, entitled "An act in relation to noxious weeds and brush in public highways," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to legalize and confirm the official acts of James Monroe, a justice of the peace of the town of Worth, in the county of Jefferson."

"An act to release the interest of the people of the State of New York in certain real estate in Flushing, Queens county, to Elijah Rontas."

"An act to amend chapter 166 of the Laws of 1877, entitled 'An act to amend chapter 435 of the Laws of 1868, entitled An act to incorporate the village of Hamilton, in the county of Madison, and repeal its present charter,' and to repeal chapter 250 of the Laws of 1870, chapter 18 of the Laws of 1874, and chapter 142 of the Laws of 1875."

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fish, Int. No. 181, entitled 'An act to secure better public administration in the local government of the city of New York,' reported the same for the consideration of the House.

Mr. Fish moved to recommit said bill to the committee on affairs of cities, when printed.

Messrs. Speaker, Hoyt, Abbott, Sutherland, S. V. R. Miller, Brooks, Case, Pattengill, Wilbor, Sewell, Berry, Curran, Waring, Valentine, Kern and Hurd presented petitions against change in excise laws; which were read and referred to the committee on internal affairs.

Messrs. Langner, Curran, Grady, Berrigan, Galvin, Prescott, Strack, McDonough, Daly, Jones, Holahan, Thain, Bathe, Browning and Fitz-

gerald presented petitions in favor of modification of excise laws ; which were read and referred to the committee on internal affairs.

Mr. Hulme presented a petition of members of the bar of Dutchess county for the retention and completion of the Code of Civil Procedure ; which was read and referred to the committee on the judiciary.

Mr. Palmer presented a petition from the medical society of St. Lawrence county for an act relating to vital statistics of the State ; which was read and referred to the committee on public health.

Mr. Keegan presented a petition of the board of supervisors of Queens county against the Union Field Cemetery Association Congregation Rodef Scholem to obtain consent to acquire additional land ; which was read and referred to the committee on charitable and religious societies.

Mr. Alvord presented a petition of citizens of Syracuse for revision of the laws in regard to life insurance ; which was read and referred to the committee on insurance.

Mr. Speaker presented a communication from the Attorney General of the State of New York, in compliance with a resolution of the Assembly, in reference to the apportionment of the State ; which was laid on the table and ordered printed.

(See Doc. No. 38.)

Mr. Brooks moved that said communication be referred to the committee on apportionment, and printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows :

"An act to amend section 69 of article 8, title 8, chapter 20, part 1 of the Revised Statutes, and section 7 of title 1, chapter 6, part 3 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brooks offered for the consideration of the House a resolution, in the words following :

Resolved, That the committee on apportionment be required to report within the next thirty days, a bill providing for the apportionment of the State in accordance with article 3, sections 4 and 5 of the Constitution.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Thain offered for the consideration of the House a resolution, in the words following :

Resolved, That 3,000 copies of the opinion of the Attorney-General on the subject of apportionment be printed for the use of the Assembly.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Mapes offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That there be ordered printed 1,500 extra copies of the annual report of the Western New York Institution for Deaf Mutes.

Ordered, That said resolution be referred to the committee on public printing.

The bill entitled "An act to legalize and confirm the official acts of James Monroe, a justice of the peace of the town of Worth, in the county of Jefferson," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Cormack	Keator	Purdy
Allen	Cosad	Keegan	Reynolds
Alvord	Curran	King	Searing
Andrews	Day	Langner	Sewell
Astor	Deyoe	Lowing	Sheldon
Baker	Fish	McDonough	Skinner
Bathe	Fitzgerald	S. V. R. Miller	Strack
Beard	Floyd-Jones	Mooers	Sutherland
Bergen	Foster	Meyenborg	E. Taylor
Berrigan	Galvin	Palmer	Terry
Bouck	Gilbert	Parker	Thain
Brooks	Graham	Pattengill	Thomson
Browning	Hamilton	Patterson	Valentine
Brundage	J. Hayes	C. C. Peck	Wadsworth
Case	Henry	D. C. Peck	Waring
Chappell	Hobbie	Peek	Wemple
Chase	Holahan	Piper	Wilbor
Clancy	Holbrook	Pool	Willers
Clapp	Hoyt	Prescott	Willis
J. M. Clark	Jones	Proper	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New York in certain real estate in Flushing, Queens county, to Elijah Rontas," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00. }

Those who voted in the affirmative, were

Abbott	Day	Lowing	Searing
Allen	Deyoe	Mattison	Seebacher
Alvord	Fish	McDonough	Sewell
Andrews	Floyd-Jones	Mekeel	Sheard
Astor	Galvin	S. V. R. Miller	Sheldon
Baker	Gilbert	Moller	Skinner
Bathe	Grady	Mooers	Sutherland
Beard	Graham	Meyenborg	Speaker

Berrigan	Hamilton	Niven	E. Taylor
Berry	J. Hayes	North	Terry
Bouck	Hobbie	Noyes	Thain
Brooks	Holbrook	Palmer	Thomson
Browning	Hoyt	Parker	Valentine
Brundage	Hulme	Pattengill	Wadsworth
Burns	Hurd	C. C. Peck	Waring
Case	Jones	D. C. Peck	Wemple
Chappell	Keator	Peek	Wheeler
Clancy	Keegan	Piper	Wilbor
J. M. Clark	Kellogg	Pool	Willers
Cormack	Kern	Prescott	Williams
Crowley	King	Proper	Willis
Daly	Langner	Reynolds	Winch

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 166 of the laws of 1877, entitled 'An act to amend chapter 435 of the laws of 1868, entitled An act to incorporate the village of Hamilton, in the county of Madison, and repeal its present charter,' and to repeal chapter 250 of the laws of 1870, chapter 18 of the laws of 1874, and chapter 142 of the laws of 1875," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Crowley	Lowing	Purdy
Allen	Day	Mapes	Sewell
Alvord	Deyoe	Mattison	Sheard
Andrews	Fish	Mead	Sheldon
Astor	Fitzgerald	S. V. R. Miller	Skinner
Baker	Floyd-Jones	Moller	Speaker
Bathe	Foster	Moors	Sutherland
Beard	Gilbert	Meyenborg	E. Taylor
Berrigan	Grady	Nelson	Terry
Berry	Halliday	Noyes	Thain
Bouck	Hamilton	Palmer	Valentine
Browning	Henry	Pattengill	Wadsworth
Brundage	Hobbie	Patterson	Waring
Chappell	Jones	C. C. Peck	Wemple
Chase	Keator	D. C. Peck	Wheeler
Clancy	Kellogg	Peek	Willers
Clapp	Kern	Piper	Williams
J. M. Clark	King	Prescott	Willis
Cormack	Langner	Proper	Winch
Crawford			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The order of business, "general orders," being announced,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the fire department of the village of Rome, Oneida county,' passed April 12, 1855, and the act as hereby amended shall hereafter be known as "An act to incorporate the fire department of the city of Rome, Oneida county.'"

Senate, "An act to legalize and confirm the official acts of John W. C. Leveridge of the city of New York, a notary public."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Alvord, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was ordered engrossed and to a third reading.

Mr. Alvord, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Alvord, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 81 {
} NOES 00 {

Those who voted in the affirmative, were

Abbott	Cosad	King	Sewell
Allen	Curran	Langner	Shanley
Alvord	Daly	Lowing	Sheard
Andrews	Day	Mead	Sheldon
Astor	Deyoe	Moller	Skinner
Baker	Fish	Mooers	Strack
Bathe	Fitzgerald	Meyenborg	Sutherland
Beard	Floyd-Jones	Nelson	E. Taylor
Bergen	Foster	Noyes	Terry
Berrigan	Galvin	Palmer	Thain
Berry	Gilbert	Parker	Thomson
Bouck	Grady	Pattengill	Valentine
Brooks	Graham	C. C. Peck	Wadsworth
Browning	Hamilton	D. C. Peck	Waring
Brundage	J. Hayes	Peek	Wemple
Chappell	Hobbie	Piper	Wheeler
Chase	Hulme	Prescott	Wilbor
Clancy	Hurd	Proper	Willers
Clapp	Jones	Reynolds	Willis
J. M. Clark	Keator	Seebacher	Winch
Cormack			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Gilbert moved that when this House adjourns, it adjourn to meet on Monday evening, at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 67 }
{ NOES 29 }

Those who voted in the affirmative, were

Allen	Frank	Langner	Seebacher
Astor	Galvin	Mapes	Sewell
Baker	Gilbert	McDonough	Shanley
Bathe	Gramham	S. V. R. Miller	Sheard
Bergen	Halliday	Moller	Sheldon
Brooks	Hamilton	Meyenborg	Story
Browning	J. Hayes	Nelson	Strack
Chappell	Henry	North	E. Taylor
Clancy	Hobbie	Noyes	Thain
Clapp	Holbrook	Parker	Valentine
Cormack	Hoyt	Patterson	Waring
Cosad	Hulme	D. C. Peck	Wemple
Crowley	Hurd	Peck	Wilbor
Daly	Keator	Prescott	Williams
Day	Keegan	Proper	Willis
Deyoe	Kern	Purdy	Winch
Fitzgerald	King	Reynolds	

Those who voted in the negative, were

Alvord	Crawford	Jones	Piper
Andrews	Curran	Kellogg	Pool
Beard	Fish	Lowing	Skinner
Berrigan	Floyd-Jones	Mead	Sutherland
Berry	Foster	Mekeel	Terry
Bouck	Grady	Mooers	Thomson
Brundage	Holahan	C. C. Peck	Willers
J. M. Clark			

On motion of Mr. Gilbert, at 12 o'clock and 30 minutes the House adjourned.

MONDAY, JANUARY 28, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Stanton.

The journal of Friday, January 25, was read and approved.

Mr. Converse introduced a bill entitled "An act for the relief of the Port Byron free school district, in the town of Mentz, in the county of Cayuga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. C. C. Peck introduced a bill entitled "An act making re-appro-

priation to Greene county, for the maintenance and education of indigent orphans and homeless persons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Chappell introduced a bill entitled "An act to amend chapter 104 of the Laws of 1877, entitled 'An act to authorize the treasurer of Monroe county, to sell property for unpaid taxes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Seebacher introduced a bill entitled "An act to authorize the commissioners of the sinking fund of the city and county of New York to convey certain lands to the Home for Aged and Infirm Hebrews of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Galvin introduced a bill entitled "An act to amend an act passed April, 1862, entitled 'An act for the better protection of life and property in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Floyd-Jones introduced a bill entitled "An act to extend the powers of boards of supervisors and certain town officers of the several towns of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Burns introduced a bill entitled "An act to amend chapter 129 of the Laws of 1872, entitled 'An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy,' passed April 12, 1861, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Brooks introduced a bill entitled "An act to amend an act entitled 'An act to allow the trustees, directors or managers of incorporated asylums to bind out orphans or indigent children surrendered to their care, Laws of 1855, chapter 159,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Halliday introduced a bill entitled "An act providing for the incorporation of the Tompkins County (N. Y.) Patrons' Fire Relief Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, a bill entitled "An act to amend the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Messrs. Browning, Grady, Holahan, Jones, Alvord, Prescott, Hobbie, Shanley, Crowley, Proper, Peck, Purdy, Floyd-Jones, Story, J. Hayes, Bouck and Niven presented petitions in favor of modification of excise laws; which were read and referred to the committee on internal affairs.

Messrs. Williams, Griggs, Miller and Beard presented petitions against any change in present excise laws; which were read and referred to the committee on internal affairs.

Mr. Lowing presented a petition to amend the game laws relating to

Silver Lake, in Wyoming county; which was read and referred to the committee on game laws.

Mr. Converse presented a petition for the relief of the Port Byron free school district, in the town of Mentz, Cayuga county; which was read and referred to the committee on ways and means.

Mr. Parker presented two petitions of citizens of Chautauqua county, in favor of woman suffrage; which were read and referred to the committee on the judiciary.

Mr. Brooks presented a memorial of Minthorne Tompkins, in regard to transfer of important papers and correspondence of Daniel D. Tompkins, deceased, to the custody of the State; which was read and referred to the committee on joint library.

Mr. Gilbert offered for the consideration of the House a resolution, in the words following:

Whereas, The education of its citizens is conceded to be of vital importance to a State; and,

Whereas, It is found to be necessary for a State to make liberal provision for such education; and,

Whereas, In order to attain that end, the State of New York has wisely made provision for the special education of teachers, by establishing normal and training schools; and,

Whereas, The Superintendent of Public Instruction in his last annual message has recommended that a committee be appointed by the present Legislature for the purposes indicated in the following resolution; therefore,

Resolved, That a committee of nine be appointed by the Speaker to consider and report to the Assembly what, if any, legislation is needed, in order to render such schools still more useful to the State; and to ascertain whether or not, in the practical operation of such schools there has been any departure from their original purpose; also to inquire into the equities, which the localities where the normal schools are situated, claim to have in regard to academic departments connected with such schools.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The order of business, "general orders," being announced,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act regulating the sale of leaf tobacco in the State of New York."

"An act to authorize the extension of the time for the collection of taxes in the several towns of this State."

"An act to release to Catharine Ringler the interest of the people of the State of New York in and to the surplus moneys deposited with the chamberlain of the city of New York to the credit of the action in the Supreme Court wherein John Adelhardt was plaintiff and Catharine Ringler and others were defendants."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Skinner, from said committee, reported progress on said first and second mentioned bills, and asked and obtained leave to sit again.

Mr. Skinner, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the payment of certain moneys out of the State treasury to Hamilton B. Russell, administrator of Mary McDonald, deceased, heir-at-law and next of kin of Edward Gleason, deceased."

"An act to amend section 5 of chapter 473 of the Laws of 1877, entitled 'An act to provide for the determination and payment of claims for goods, merchandise and materials furnished and labor performed, in fitting up and furnishing armories and drill-rooms in the city of New York,' passed June 22, 1877."

"An act to repeal an act passed March 7, 1872, entitled 'An act to amend an act entitled An act to amend an act passed March 23, 1850, entitled An act for the protection of purchasers of real estate upon sales by order of surrogates,' passed April 20, 1869, and to repeal an act passed April 20, 1869, entitled 'An act to amend an act passed March 23, 1850, entitled An act for the protection of purchasers of real estate upon sales by order of surrogates, and also to amend an act entitled An act for the protection of purchasers of real estate upon sales made by order of surrogates,' passed March 23, 1850, so as to apply the provisions of said act to mortgages and leases."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Grady, from said committee, reported in favor of the passage of said first, second and third mentioned bills, the second and third mentioned bills, with amendments; which report was agreed to, and said bills ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to noxious weeds and brush in public highways."

"An act to amend chapter 324 of the Laws of 1869, entitled 'An act for the election of a receiver of taxes and assessments for the town of Cortlandt and village of Peekskill.'"

"An act to amend an act of the Legislature of the State of New York, entitled 'An act for the further protection of female employes in the city of New York,' passed April 22, 1867."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Halliday, from said committee, reported progress on said first and third mentioned bills, and asked and obtained leave to sit again.

Mr. Halliday, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Cormack, at 9 o'clock and 45 minutes, the House adjourned.

TUESDAY, JANUARY 29, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Stanton.

The journal of yesterday was read and approved.

The privileges of the floor were granted to Hon. F. Brill, a former member of the House; also, to the Hon. Roswell Hart.

Mr. Speaker presented a communication from his Excellency the Governor, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, Jan. 29, 1878. }

To the Assembly :

I have the honor to transmit herewith the annual report of the Cooper Union for the Advancement of Science and Art of the city of New York.
L. ROBINSON.

Said communication was laid on the table and ordered printed.

(*See Doc. No. 39.*)

(Mr. Alvord in the chair.)

This being the day assigned by the rules for the consideration of general orders,

The House then resolved itself into a committee of the whole on the bills entitled as follows, and the Annual Message of the Governor :

“An act to amend an act of the Legislature of the State of New York, entitled ‘An act for the further protection of female employes in the city of New York,’ passed April 22, 1867.”

“An act in relation to noxious weeds and brush in public highways.”

Annual Message of the Governor.

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fish, from said committee, reported in favor of the passage of said first mentioned bill, with amendments, the title amended so as to read “An act to amend chapter 516 of the Laws of 1867, entitled ‘An act for the further protection of female employes in the city of New York,’ passed April 22, 1867,” which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Fish, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Fish, from said committee, also reported progress on said message, and asked and obtained leave to sit again.

Mr. I. I. Hayes moved to discharge the committee of the whole from further consideration of the Governor’s message.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

In connection with said message Mr. I. I. Hayes offered the following resolution :

Resolved, That the several subjects and recommendations of the annual message of the Governor be and are hereby referred to the several committees of the Assembly as follows, to wit :

To the committee on ways and means, that portion of the message relating to taxation, general legislation in appropriation bills, the new Capitol and the riots of July.

To the committee on the judiciary, that portion relating to the Code.

To the committee on general laws, that portion relating to the constitutional amendments.

To the committee on canals, that portion relating to the canal debt, business and revenues of the canal and the lateral canals.

To the committee on commerce and navigation, that portion relating to harbor masters and port wardens.

To the committee on public education, that portion relating to colleges and academies and common schools.

To the committee on insurance, that portion relating to life insurance.

To the committee on banks, that portion relating to specie payment and savings banks.

To the committee on militia, that portion relating to the National Guard.

To the committee on State prisons, that portion relating to State prisons and the State reformatory at Elmira.

To the committee on internal affairs, that portion relating to the excise law.

To the committee on the affairs of cities, that portion relating to the city of New York.

To the committee on Federal relations, that portion relating to the boundary line between New York and Connecticut.

To the committee on villages, that portion relating to village charter amendments.

To the committee on apportionment, that matter relating to apportionment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

(Mr. Speaker in the chair.)

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to provide for the collection of certain unpaid taxes in the village of Glens Falls," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Abbott, and by unanimous consent, said bill was read a third time.

Mr. Speaker then put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Day	Langner	Pool
Allen	Deyoe	Loveland	Prescott
Alvord	Fish	Lowing	Proper
Andrews	Fitzgerald	Mapes	Purdy
Astor	Floyd-Jones	Mattison	Reynolds
Baker	Flynn	McDonough	Roberts
Bathe	Frank	Mead	Rowland
Beard	Galvin	Mekeel	Sawyer
Berrigan	Gilbert	J. H. Miller	Searing
Berry	Grady	S. V. R. Miller	Seebacher
Bouck	Griggs	Moller	Sewell
Brooks	Hamilton	Mooers	Sheard
Browning	J. Hayes	Meyenborg	Sheldon
Brundage	Henry	Neilson	Skinner
Case	Hobbie	Nelson	Story
Chase	Holahan	Niven	E. Taylor
Clancy	Holbrook	North	Thain
Clapp	Hoyt	Noyes	Townsley
J. M. Clark	Hulme	Palmer	Valentine
Converse	Jones	Parker	Waring

Cormack	Keator	Pattengill	Wemple
Cosad	Keegan	Patterson	Wheeler
Crandall	Kellogg	C. C. Peck	Williams
Crawford	Kern	D. C. Peck	Winch
Crowley	King	Piper	Worth
Curran			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to repeal a certain portion of chapter 225 of the Laws of 1877, entitled 'An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations.'"

"An act to amend chapter 220 of the Laws of 1862, entitled 'An act to reorganize the State Asylum for Idiots, and to provide for the government and management thereof.'"

"An act to amend section 3 of chapter 564 of the Laws of 1875, entitled 'An act to amend chapter 122 of the Laws of 1851, entitled An act for the incorporation of building, mutual loan and accumulating fund associations,' passed June 9, 1875."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. D. C. Peck, from said committee, reported in favor of the passage of said first mentioned bill, with amendments, the title amended by striking out "193," and inserting "225," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. D. C. Peck, from said committee, also reported in favor of the passage of said second and third mentioned bills, the second mentioned with amendments; which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the fire department of the village of Rome, Oneida county,' passed April 12, 1855, and the act as hereby amended shall hereafter be known as 'An act to incorporate the fire department of the city of Rome, Oneida county.'"

"An act to release to Catharine Ringler the interest of the people of the State of New York in and to the surplus moneys deposited with the chamberlain of the city of New York to the credit of the action in the Supreme Court wherein John Adelhardt was plaintiff and Catharine Ringler and others were defendants."

"An act to authorize the payment of certain moneys out of the State treasury to Hamilton B. Russell, administrator of Mary McDonald, deceased, heir at law and next of kin of Edward Gleason, deceased."

"An act to amend section 5 of chapter 473 of the Laws of 1877, entitled 'An act to provide for the determination and payment of claims for goods, merchandise and material furnished and labor performed, in fitting up and furnishing armories and drill rooms in the city of New York,' passed June 22, 1877."

"An act to repeal an act passed March 7, 1872, entitled 'An act to amend an act entitled An act to amend an act passed March 23, 1850, entitled An act for the protection of purchasers of real estate upon sales by order of surrogates, passed April 20, 1869,' and to repeal an act passed April 20, 1859, entitled 'An act to amend an act passed March 23, 1850,

entitled 'An act for the protection of purchasers of real estate upon sales by order of surrogates,' and also to amend an act entitled 'An act for the protection of purchasers of real estates upon sales made by order of surrogates, passed March 23, 1850,' so as to apply the provisions of said act to mortgages and leases."

"An act to amend chapter 324 of the Laws of 1869, entitled 'An act for the election of a receiver of taxes and assessments for the town of Cortlandt and village of Peekskill.'"

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Purdy, from said committee, reported in favor of the passage of said bill, with an amendment, and that they had stricken out the first section of the bill; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Allen moved to disagree with the report of the committee of the whole, and to insert the first section of the bill, stricken out in said committee.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 59 }
{ NOES 47 }

Those who voted in the affirmative, were

Allen	Daly	Mead	Peek
Alvord	Day	Mekeel	Piper
Andrews	Douglass	J. H. Miller	Proper
Bathe	Frank	S. V. R. Miller	Purdy
Beard	Galvin	Moller	Rowland
Bergen	Griggs	Mooers	Seebacher
Berrigan	Hamilton	Meyenborg	Sewell
Bouck	Havens	Nelson	Sheldon
Burns	Henry	Niven	Skinner
Chappell	Hobbie	Noyes	Story
J. M. Clark	Holbrook	Palmer	E. Taylor
Converse	Kellogg	Parker	Valentine
Cosad	Langner	Pattengill	Willis
Crowley	Mattison	Patterson	Worth
Curran	McDonough	C. C. Peck	

Those who voted in the negative, were

Abbott	Crawford	King	Shanley
Astor	Deyoe	Loveland	Sheard
Berry	Fish	Lowing	Sutherland
Brooks	Floyd-Jones	Mapes	Townsley
Browning	Flynn	North	Wadsworth
Brundage	Halliday	D. C. Peck	Waring
Case	I. I. Hayes	Pool	Wemple
Chase	Hoyt	Prescott	Wheeler
Clancy	Hulme	Reynolds	Wilbor

Clapp	Jones	Roberts	Williams
Cormack	Keegan	Sawyer	Winch
Crandall	Kern	Searing	

When the name of Mr. Grady was called, he stated that he had paired with Mr. Terry.

When the name of Mr. Neilson was called, he asked to be, and was excused from voting.

When the name of Mr. Thain was called, he asked to be, and was excused from voting.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to legalize the drawing of a petit jury for the Schoharie county court and court of sessions for February term in 1878," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Bouck, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 90 }
} NOES 00 }

Those who voted in the affirmative, were

Abbott	Curran	Mapes	Reynolds
Alvord	Daly	Mattison	Roberts
Andrews	Day	McDonough	Rowland
Astor	Floyd-Jones	Mead	Sawyer
Bathe	Galvin	Mekeel	Seebacher
Beard	Gilbert	J. H. Miller	Sewell
Berrigan	Grady	S. V. R. Miller	Sheard
Berry	Griggs	Neilson	Sheldon
Bouck	Halliday	Niven	Skinner
Brundage	Hamilton	North	Story
Burns	Henry	Noyes	Sutherland
Case	Hobbie	Palmer	E. Taylor
Chappell	Holbrook	Parker	Thain
Chase	Hoyt	Pattengill	Townsend
Clancy	Jones	Patterson	Wadsworth
Clapp	Keator	C. C. Peck	Waring
J. M. Clark	Keegan	D. C. Peck	Wemple
Converse	Kellogg	Piper	Wheeler
Cormack	Kern	Pool	Wilbor
Cosad	King	Prescott	Williams
Crandall	Langner	Proper	Willis
Crawford	Lowland	Purdy	Worth
Crowley	Lowing		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Cormack introduced a bill entitled "An act to authorize the formation of a mutual insurance company in the town of Kortright, in the county of Delaware," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Allen introduced a bill entitled "An act to amend the act passed April 3, 1867, chapter 248, entitled 'An act to amend the act passed April 11, 1860, chapter 269, entitled An act to amend the act entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical and chemical purposes,' passed February 17, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. C. C. Peck introduced a bill entitled "An act in relation to the rights and liabilities of married women," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McDonough introduced a bill entitled "An act further to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Astor introduced a bill entitled "An act to amend an act entitled 'An act to incorporate an association for the relief of respectable aged indigent females in the city of New York,' passed March 10, 1815, and the acts continuing in force and amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cosad introduced a bill entitled "An act in relation to the disposition of certain reports made to the Legislature of this State," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on public printing.

Mr. Hulme introduced a bill entitled "An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Andrews introduced a bill entitled "An act to incorporate the Tornado Hook and Ladder Company, No. 1, of the village of Union, Broome county, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Alvord, from the committee on ways and means, introduced a bill entitled "An act making appropriations for the support of government," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Alvord moved that said bill be ordered printed, and recommit the same to the committee on ways and means, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Astor, McDonough, Bouck, Searing, Terry, Purdy, Langner,

Crandall, Roberts, Alvord, Chase, Mapes, Curran and Waring presented petitions in favor of a modification of the excise laws; which was read and referred to the committee on internal affairs.

Messrs. Sutherland, Havens, Mead, Abbott, Reynolds, J. H. Miller, Lowing, Sheard, Noyes, Allen, Skinner, Crandall, Jones, S. V. R. Miller, Griggs, Willis, Hoyt, Deyoe, Thain, Neilson, Mooers, Wheeler, Hulme and C. C. Peck presented petitions against any change in the excise laws; which was read and referred to the committee on internal affairs.

Mr. Brooks presented a memorial for prison reform; which was read and referred to the committee on State prisons.

Mr. Day presented a petition of 719 citizens of Buffalo, that the rates of fare charged by the street railroads of Buffalo be restored to the original charter rates; which was read and referred to the committee on railroads.

Mr. Sheard presented the annual report of the Eclectic Medical Society of the State of New York; which was laid on the table and ordered printed.

(See Doc. No. 43.)

Mr. Brooks offered for the consideration of the House a resolution, in the words following:

Resolved, That 2,000 extra copies of the annual report of the Institution for the Deaf and Dumb, be printed for the use of the House, and 500 copies for the use of the institution.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Prescott offered for the consideration of the House a resolution, in the words following:

Resolved, That eight copies of the sixth edition, Revised Statutes of the State of New York, be purchased for the use of the committee of the House and the members thereof.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Day moved to recommit the bill entitled "An act for the relief of the Buffalo Eye and Ear Infirmary," to the committee on charitable and religious societies, the same retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Indefinite leave of absence was granted to Mr. Story.

On motion of Mr. Gilbert, at 1 o'clock and 45 minutes the House adjourned.

WEDNESDAY, JANUARY 30, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Campbell.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend chapter 147 of the Laws of 1864, entitled 'An act to provide for the erection of a town hall in the town of Jamaica, in the

county of Queens,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 473 of the Laws of 1877, entitled 'An act to provide for the determination and payment of claims for goods, merchandise and material furnished, and labor performed, in fitting up and furnishing armories and drill-rooms in the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned the concurrent resolution, relative to the redemption of the coin obligations of the government in gold, or its full equivalent, with a message informing that they had concurred in the passage of the same, without amendment."

Mr. Proper introduced a bill entitled "An act to legalize the proceedings of the Livingston Town Insurance Company, in the county of Columbia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Gilbert introduced a bill entitled "An act to amend article 3 of title 3 of chapter 6 of part 2 of the Revised Statutes, entitled 'Of the duties of executors and administrators in rendering an account, and in making distribution to the next of kin,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Willers introduced a bill entitled "An act to terminate the topographical survey and exploration of the Adirondack wilderness," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a bill entitled "An act to abolish the board of commissioners of the State survey," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a bill entitled "An act to complete and terminate the geological survey of the State, and the publication of the natural history of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a bill entitled "An act in relation to the Military Record Fund, and to provide for the refunding of moneys contributed by towns and cities of this State, and by individuals for the erection of a Hall of Military Record," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Valentine introduced a bill entitled "An act to amend chapter 129 of the Laws of 1856, entitled 'An act in relation to school district No. 6, in the town of Lyons, Wayne county,' passed April 7, 1856, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Valentine, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 107 }
 { NOES 00 }

Those who voted in the affirmative, were

Abbott	Curran	King	Reynolds
Allen	Daly	Langner	Roberts
Alvord	Day	Loveland	Rowland
Andrews	Deyoe	Lowing	Sawyer
Astor	Douglass	Mapes	Searing
Baker	Fish	Mattison	Seebacher
Bath	Fitzgerald	Mekeel	Sewell
Beard	Floyd-Jones	J. H. Miller	Shanley
Bergen	Flynn	S. V. R. Miller	Sheard
Berrigan	Foster	Moller	Skinner
Berry	Galvin	Mooers	Strack
Bouck	Gilbert	Meyenborg	Sutherland
Brooks	Grady	Neilson	E. Taylor
Browning	Griggs	Nelson	Terry
Brundage	Halliday	Niven	Thain
Case	Hamilton	North	Townsley
Chappell	J. Hayes	Noyes	Valentine
Chase	Henry	Palmer	Wadsworth
Clancy	Hobbie	Parker	Waring
Clapp	Holbrook	Pattengill	Wheeler
J. M. Clark	Hoyt	D. C. Peck	Wilbor
Converse	Hurd	Peek	Willers
Cormack	Jones	Piper	Williams
Cosad	Keator	Pool	Willis
Crandall	Keegan	Prescott	Winch
Crawford	Kellogg	Proper	Worth
Crowley	Kern	Purdy	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Clark introduced a bill entitled "An act relating to the disposition of the prison and banks of the Crooked Lake canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Nelson introduced a bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill entitled "An act to amend subdivision 2 of section 5 of title 1, chapter 13, part 1 of the Revised Statutes of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hurd introduced a bill entitled "An act to authorize the commissioners for the erection of a city and county hall in the city of Buffalo and county of Erie, to assign a portion of said building for the use of the coroners of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Wadsworth introduced a bill entitled "An act to repeal chapter 388 of the Laws of 1837, entitled 'An act to incorporate the Leicester

Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The privileges of the floor were granted to Hon. James M. Humphrey, Hon. Daniel Bradley, Hon. Jacob Hess and Hon. J. T. Henry.

Leave of absence was granted to Mr. Graham.

Mr. Alvord, from the committee on ways and means, offered the following resolution :

Resolved, That the committee on ways and means be discharged from the further consideration of the bill entitled "An act to authorize the maps and surveys of the commissioners appointed by the President of the United States, in pursuance of an act of Congress, approved February 19, 1875, to survey, locate and establish proper boundaries and limits of the villages of Vandalia, Carrolton, Great Valley, Salamanca, West Salamanca and Red House, to be received in evidence, and for other purposes," and that the same be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Browning, Int. No. 141, entitled "An act to provide for the examination of persons in proceedings instituted by or on behalf of the municipal authorities, boards and departments in the several cities of this State, pursuant to any statute or ordinance," reported adversely thereto, which report was agreed to.

Mr. Browning moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill, introduced by Mr. Niven, Int. No. 131, entitled "An act to amend chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution,' passed May 17, 1872, and the act amending the same, passed June 12, 1877," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bergen, Int. No. 65, entitled "An act authorizing the appointment of a person to perform clerical duties, etc., in the Supreme Court in Kings county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Husted, Int. No. 114, entitled "An act supplemental to the Code of Civil Procedure," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill entitled "An act in relation to the powers and duties of the State commissioner in lunacy," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate concurrent resolution proposing an amendment to section 6, article 6 of the Constitution, reported in favor of the passage of the same,

which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Andrews, Int. No. 117, entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. I. I. Hayes, Int. No. 80, entitled "An act transferring the duties of commissioner of jurors to the clerk of the city and county of New York," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to abolish the office of commissioner of jurors of the city of New York, and to transfer the duties of said office to the clerk of the city and county of New York;" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. I. I. Hayes, Int. No. 85, entitled "An act relating to the coroners of the city and county of New York, their duties and compensation," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Fish, and by unanimous consent, said bill was recommitted to the committee on affairs of cities, retaining its place on general orders.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Valentine, Int. No. 123, entitled "An act to exempt the county of Wayne from the provisions and operations of chapter 180 of the Laws of 1874, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Kellogg, Int. No. 107, entitled "An act in relation to the maintenance of the chronic insane poor of the county of Cortland," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Chase, from the committee on expenditures of the House, to which was referred the resolution relative to appointment of clerks and messenger of the committee on apportionment, reported in favor of the adoption of the following resolution:

Resolved, That Edward P. Fancher, Republican, and David J. Wilcox, Democrat, be appointed clerks, and John P. Shumway messenger of the committee on apportionment, with the same mileage and per diem pay as the clerk and messenger of the committee on ways and means.

Mr. Fish moved to amend said report by striking out the words "Republican" and "Democrat."

Mr. Brooks moved to amend by adding at the end of said report the words "Provided, however, that such per diem pay shall be paid and received only for so many days as such clerks and messenger shall be actually employed in such service."

Mr. Holahan moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Brooks, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

Mr. Skinner called for a division of the question.

Mr. Speaker put the question whether the House would agree to the first member of said report, "that Edward P. Fancher be appointed clerk of the committee on apportionment, with the same mileage and per diem compensation as the clerk of the committee on ways and means," and it was determined in the affirmative.

{ AYES 75 }
{ NOES 43 }

Those who voted in the affirmative, were

Alvord	Fish	Kern	Rowland
Andrews	Fitzgerald	King	Sawyer
Astor	Flynn	Mapes	Seebacher
Berrigan	Foster	Mattison	Sewell
Bouck	Frank	McDonough	Shanley
Browning	Galvin	J. H. Miller	Sheldon
Burns	Gilbert	S. V. R. Miller	Strack
Case	Grady	Moller	E. Taylor
Chappell	Halliday	Mooers	Terry
Chase	I. I. Hayes	Meyenborg	Valentine
Clancy	J. Hayes	North	Wadsworth
Clapp	Henry	Noyes	Waring
J. Clark	Holahan	Palmer	Wheeler
J. M. Clark	Holbrook	C. C. Peck	Wilbor
Crandall	Hoyt	D. C. Peck	Williams
Curran	Hulme	Peek	Willis
Daly	Hurd	Pool	Winch
Day	Jones	Prescott	Worth
Deyoe	Kellogg	Purdy	

Those who voted in the negative, were

Abbott	Cosad	Loveland	Proper
Allen	Crawford	Lowing	Reynolds
Baker	Crowley	Mead	Roberts
Bathe	Floyd-Jones	Mekeel	Searing
Beard	Griggs	Neilson	Sheard
Bergen	Hamilton	Nelson	Skinner
Berry	Havens	Niven	Sutherland
Brooks	Hobbie	Parker	Thain
Brundage	Keator	Pattengill	Townsley
Converse	Keegan	Patterson	Willers
Cormack	Langner	Piper	

Mr. Speaker put the question whether the House would agree to the second member of said report, "that David J. Wilcox be appointed clerk of the committee on apportionment, with the same mileage and per diem pay as the clerk of the committee on ways and means," and it was determined in the affirmative.

{ AYES 67 }
{ NOES 51 }

Those who voted in the affirmative, were

Alvord	Day	Keegan	Pool
Andrews	Douglass	Kellogg	Purdy
Astor	Fish	Kern	Sawyer
Bathe	Fitzgerald	King	Seebacher
Bergen	Flynn	Mapes	Sewell
Berrigan	Foster	McDonough	Shanley
Bouck	Frank	J. H. Miller	Sheard
Browning	Galvin	S. V. R. Miller	Sheldon
Burns	Grady	Moller	Strack
Chappell	Halliday	Meyenborg	E. Taylor
Clancy	J. Hayes	Nelson	Thomson
J. Clark	Henry	North	Valentine
Converse	Holbrook	Palmer	Wadsworth
Crandall	Hoyt	Patterson	Wheeler
Crawford	Hulme	C. C. Peck	Wilbor
Crowley	Hurd	D. C. Peck	Winch
Curran	Jones	Peck	

Those who voted in the negative, were

Abbott	Deyoe	Mead	Rowland
Allen	Floyd-Jones	Mekeel	Searing
Baker	Gilbert	Mooers	Skinner
Berry	Griggs	Nelson	Sutherland
Brooks	Hamilton	Niven	Terry
Brundage	Havens	Noyes	Thain
Case	Hobbie	Parker	Townsley
Chase	Holahan	Pattengill	Waring
Clapp	Keator	Piper	Willers
J. M. Clark	Langner	Prescott	Williams
Cormack	Loveland	Proper	Willis
Cosad	Lowing	Reynolds	Worth
Daly	Mattison	Roberts	

When the name of Mr. Beard was called he asked to be, and was, excused from voting.

Mr. Speaker put the question whether the House would agree to the third member of said report, "that John P. Shumway be appointed messenger of the committee on apportionment, with same mileage and per diem pay as the messenger of the committee on ways and means," and it was determined in the negative.

{ AYES 18 }
{ NOES 73 }

Those who voted in the affirmative, were

Alvord	J. Clark	J. Hayes	Mapes
Astor	Crandall	Holbrook	McDonough
Bergen	Fish	Hoyt	Shanley
Berrigan	Galvin	Keegan	Willis
Clancy	I. I. Hayes		

Those who voted in the negative, were

Abbott	Fitzgerald	Mekeel	Sawyer
Allen	Floyd-Jones	J. H. Miller	Seebacher
Beard	Gilbert	Moller	Sheard
Berry	Griggs	Mooers	Skinner
Brooks	Halliday	Neilson	Strack
Browning	Hamilton	Nelson	Sutherland
Brundage	Havens	Niven	E. Taylor
Chappell	Hobbie	North	Terry
Chase	Holahan	Noyes	Thain
Clapp	Hurd	Palmer	Townsley
J. M. Clark	Jones	Parker	Valentine
Converse	Keator	Pattengill	Wadsworth
Cormack	Kellogg	D. C. Peck	Waring
Cosad	Langner	Piper	Wheeler
Crawford	Loveland	Pool	Wilbor
Crowley	Lowing	Prescott	Willers
Curran	Mattison	Roberts	Williams
Daly	Mead	Rowland	Worth
Day			

When the name of Mr. Keegan was called he asked to be, and was not, excused from voting.

Mr. Chase, from the committee on expenditures of the House, to which was referred the resolution relative to the printing of Assembly document No. 30, reported in favor of the adoption of the following resolution:

Resolved, That 1,000 copies of Assembly document No. 30, being the list of the members of the committee of the Assembly, be printed for the use of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 516 of the Laws of 1867, entitled 'An act for the further protection of female employes in the city of New York,' passed April 22, 1867."

"An act to repeal a certain portion of chapter 193 of the Laws of 1877, entitled 'An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations.'"

"An act to amend chapter 220 of the Laws of 1862, entitled 'An act to reorganize the State Asylum for Idiots, and to provide for the government and management thereof.'"

"An act to amend section 3 of chapter 564 of the Laws of 1875, entitled 'An act to amend chapter 122 of the Laws of 1861, entitled An act for the incorporation of building, mutual loan and accumulating fund associations,' passed June 9, 1875."

"An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act to amend an act entitled 'An act to incorporate the fire department of the village of Rome, Oneida county,' passed April 12, 1855, and the act as hereby amended shall hereafter be known

as 'An act to incorporate the fire department of the city of Rome, Oneida county," being announced,

On motion of Mr. Prescott, and by unanimous consent, said bill was amended in section 1, line 1, after the word "of," strike out the words "an act to amend."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Crawford	King	Purdy
Allen	Curran	Langner	Reynolds
Alvord	Douglass	Loveland	Roberts
Andrews	Fish	Lowing	Searing
Astor	Floyd-Jones	Mapes	Seebacher
Bathe	Flynn	Mattison	Sewell
Beard	Foster	McDonough	Shanley
Bergen	Gilbert	Mekeel	Sheard
Berrigan	Griggs	J. H. Miller	Skinner
Berry	Hamilton	S. V. R. Miller	Strack
Browning	Havens	Nelson	Sutherland
Brundage	Henry	Niven	E. Taylor
Burns	Hobbie	Noyes	Terry
Case	Holahan	Palmer	Thain
Chase	Holbrook	Pattengill	Townsley
Clancy	Hoyt	C. C. Peck	Wilbor
J. Clark	Hurd	D. C. Peck	Willers
J. M. Clark	Jones	Piper	Williams
Converse	Keegan	Pool	Willis
Cormack	Kellogg	Prescott	Winch
Crandall	Kern	Proper	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release to Catharine Ringler the interest of the people of the State of New York in and to the surplus moneys deposited with the chamberlain of the city of New York to the credit of the action in the Supreme Court, wherein John Adelhardt was plaintiff and Catharine Ringler and others were defendants," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Deyoe	Langner	Purdy
Alvord	Fish	Loveland	Reynolds

Andrews	Fitzgerald	Lowing	Roberts
Astor	Floyd-Jones	Mapes	Searing
Bathe	Frank	Mattison	Seebacher
Beard	Gilbert	McDonough	Sewell
Bergen	Griggs	Mead	Shanley
Berrigan	Halliday	Mekeel	Sheard
Berry	Hamilton	J. H. Miller	Sheldon
Brooks	I. I. Hayes	S. V. R. Miller	Skinner
Browning	J. Hayes	Mooers	Strack
Brundage	Henry	Meyenborg	Sutherland
Burns	Hobbie	Neilson	E. Taylor
Chappell	Holahan	Niven	Terry
Chase	Holbrook	North	Thain
Clapp	Hoyt	Noyes	Townley
J. Clark	Hulme	Palmer	Valentine
J. M. Clark	Hurd	Parker	Waring
Converse	Jones	Pattengill	Willers
Cosad	Keator	C. C. Peck	Williams
Crandall	Keegan	D. C. Peck	Willis
Curran	Kellogg	Piper	Winch
Daly	Kern	Pool	Worth
Day	King	Proper	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the payment of certain moneys out of the State treasury to Hamilton B. Russel, administrator of Mary McDonald, deceased, heir at law and next of kin of Edward Gleason, deceased," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Daly	Langner	Prescott
Alvord	Day	Loveland	Proper
Andrews	Deyoe	Lowing	Purdy
Astor	Fish	Mapes	Reynolds
Baker	Fitzgerald	Mattison	Roberts
Bathe	Floyd-Jones	McDonough	Sawyer
Beard	Flynn	Mead	Searing
Berrigan	Foster	Mekeel	Seebacher
Berry	Gilbert	J. H. Miller	Sewell
Bouck	Griggs	S. V. R. Miller	Sheard
Brooks	Halliday	Mooers	Sheldon
Browning	Hamilton	Meyenborg	Skinner
Brundage	I. I. Hayes	Nelson	Strack
Case	Hobbie	Niven	E. Taylor
Chappell	Holahan	North	Terry
Chase	Holbrook	Noyes	Thain
Clancy	Hoyt	Palmer	Waring
Clapp	Hulme	Parker	Wheeler

J. Clark	Hurd	Pattengill	Wilbor
J. M. Clark	Jones	C. C. Peck	Willers
Converse	Keator	D. C. Peck	Williams
Cormack	Keegan	Piper	Willis
Cosad	Kellogg	Pool	Worth
Curran	King		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Mapes introduced a bill entitled "An act to incorporate the Rochester Pipe Line Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to amend section 5 of chapter 473 of the Laws of 1877, entitled 'An act to provide for the determination and payment of claims for goods, merchandise and materials furnished and labor performed, in fitting up and furnishing armories and drill-rooms in the city of New York,' passed June 22, 1877," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

} AYES 46 }
} NOES 47 }

Those who voted in the affirmative, were

Alvord	Converse	King	North
Andrews	Crawford	Langner	Prescott
Baker	Crowley	Loveland	Proper
Berrigan	Day	Lowing	Sawyer
Berry	Foster	Mattison	Shanley
Brooks	Gilbert	Mekeel	E. Taylor
Browning	Halliday	J. H. Miller	Townsend
Chappell	Holbrook	S. V. R. Miller	Waring
Chase	Hoyt	Mooers	Wilbor
Clapp	Jones	Nelson	Williams
J. Clark	Kellogg	Niven	Winch
J. M. Clark	Kern		

Those who voted in the negative, were

Abbott	Daly	Mapes	Sheard
Allen	Deyoe	Moller	Sheldon
Astor	Douglass	Meyenborg	Skinner
Bathe	Fish	Noyes	Strack
Beard	Fitzgerald	Parker	Sutherland
Bergen	Floyd-Jones	Pattengill	Terry
Bouck	Flynn	Patterson	Thain
Brundage	Frank	C. C. Peck	Wadsworth
Case	Grady	D. C. Peck	Wheeler
Cormack	Hamilton	Pool	Willers
Cosad	Hobbie	Reynolds	Winch
Curran	Keator	Seebacher	

Mr. Alvord moved to reconsider the vote by which said bill was lost, and that that motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the affirmative.

The bill entitled "An act to repeal an act passed March 7, 1872, entitled 'An act to amend an act entitled An act to amend an act passed March 23, 1850, entitled An act for the protection of purchasers of real estate upon sales by order of surrogates, passed April 20, 1869, and to repeal an act passed April 20, 1869, entitled An act to amend an act passed March 23, 1850, entitled An act for the protection of purchasers of real estate upon sales by order of surrogates, and also to amend an act entitled An act for the protection of purchasers of real estate upon sales made by order of surrogates, passed March 23, 1850,' so as to apply the provisions of said act to mortgages and leases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 86 }
 } NOES 00 }

Those who voted in the affirmative, were

Abbott	Deyoe	Lowing	Rowland
Allen	Fish	Mattison	Sawyer
Alvord	Fitzgerald	J. H. Miller	Searing
Andrews	Floyd-Jones	S. V. R. Miller	Seebacher
Astor	Flynn	Mooers	Sewell
Baker	Foster	Meyenborg	Sheard
Bathe	Gilbert	Nelson	Sheldon
Beard	Halliday	Niven	Skinner
Berrigan	Havens	North	Strack
Berry	I. I. Hayes	Noyes	E. Taylor
Bouck	Hobbie	Pattengill	Terry
Browning	Holahan	Patterson	Thain
Brundage	Holbrook	C. C. Peck	Townsley
Case	Hoyt	D. C. Peck	Valentine
Chase	Hulme	Peek	Waring
Clapp	Hurd	Piper	Wheeler
J. Clark	Jones	Prescott	Wilbor
Converse	Keegan	Proper	Willers
Cormack	Kellogg	Purdy	Williams
Crawford	Kern	Reynolds	Willis
Curran	Langner	Roberts	Worth
Day	Loveland		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to repeal chapter 72 of the Laws of 1877, passed March 29, 1877, entitled 'An act to regulate the voting in the Western New York Agricultural Society,'" was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
{ NOES 3 }

Those who voted in the affirmative, were

Abbott	Deyoe	King	Purdy
Allen	Douglass	Loveland	Roberts
Alvord	Fish	Lowing	Rowland
Andrews	Fitzgerald	Mattison	Sawyer
Astor	Floyd-Jones	McDonough	Searing
Bergen	Flynn	Mead	Seebacher
Berry	Foster	Mekeel	Sewell
Bouck	Frank	J. H. Miller	Shanley
Browning	Gilbert	S. V. R. Miller	Sheard
Brundage	Grady	Moller	Sheldon
Case	Halliday	Mooers	Skinner
Chappell	Hamilton	Meyenborg	Strack
Chase	Havens	Nelson	Sutherland
Clancy	I. I. Hayes	Niven	E. Taylor
Clapp	Henry	North	Terry
J. Clark	Holbrook	Noyes	Thain
J. M. Clark	Hoyt	Palmer	Townsley
Converse	Hulme	Parker	Valentine
Cormack	Hurd	C. C. Peck	Wadsworth
Crandall	Jones	D. C. Peck	Wilbor
Crawford	Keegan	Peek	Willers
Daly	Kellogg	Pool	Williams
Day	Kern	Prescott	

Those who voted in the negative, were

Berrigan	Patterson	Winch
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Mr. Hobbie moved to recommit said bill to the committee on agriculture, retaining its place on the order of third reading.

Mr. Fish moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hobbie, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 7 }

Those who voted in the affirmative, were

Abbott	Crowley	Loveland	Prescott
Allen	Day	Lowing	Purdy

Alvord	Deyoe	Mattison	Reynolds
Andrews	Fish	McDonough	Roberts
Astor	Fitzgerald	Mekeel	Rowland
Bathe	Floyd-Jones	S. V. R. Miller	Sawyer
Bergen	Flynn	Moller	Searing
Berry	Foster	Mooers	Seebacher
Bouck	Frank	Meyenborg	Sewell
Brooks	Grady	Neilson	Shanley
Browning	Halliday	Nelson	Sheard
Brundage	Hamilton	Niven	Sheldon
Case	Havens	North	Skinner
Chappell	J. Hayes	Noyes	Strack
Chase	Henry	Palmer	Sutherland
Clapp	Holahan	Parker	E. Taylor
J. Clark	Holbrook	Pattengill	Terry
J. M. Clark	Hoyt	C. C. Peck	Thain
Converse	Hulme	D. C. Peck	Townsley
Cormack	Hurd	Peek	Wilbor
Cosad	Jones	Piper	Willers
Crandall	Kellogg	Pool	Williams
Crawford	Kern		

Those who voted in the negative, were

Berrigan	Keator	J. H. Miller	Valentine
Hobbie	King	Proper	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented a communication from the Comptroller of the State of New York in compliance with a resolution of the Assembly in regard to legislative printing and department printing; which was laid on the table and ordered printed.

(*See Doc. No. 40.*)

Mr. Speaker presented the eleventh annual report of the Institution for the Improved Instruction of Deaf Mutes; which was laid on the table and ordered printed.

(*See Doc. No. 41.*)

Mr. Speaker announced the following as the select committee relative to Normal Schools:

Mr. Gilbert, of Franklin; Mr. Skinner, of Jefferson; Mr. Berry, of Chenango; Mr. Wadsworth, of Livingston; Mr. Chappell, of Monroe; Mr. Valentine, of Wayne; Mr. Kellogg, of Cortland; Mr. Mead, of Schenectady; Mr. McDonough, of New York.

Mr. Nelson moved to lay said order of business, "third reading of bills," on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Clapp moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 2 o'clock and 10 minutes, the House adjourned.

THURSDAY, JANUARY 31, 1878.

The House met pursuant to adjournment.

Prayer by Rev. J. B. Campbell.

The journal of yesterday was read and approved.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to amend chapter 145 of the Laws of 1868, entitled 'An act to regulate the expenditures for poor purposes in Seneca county.'"

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Daly rose to a question of privilege, and read from the papers of yesterday, a statement of Dr. Howard Crosby, of New York, in which he asserted that he (Daly), was in favor of free rum, and that also that the members of the New York delegation "lied" when they alleged that the people of New York desired a modification of the excise law. He then proceeded to make a lengthy personal explanation in vindication of his course. He said his record in the Assembly, during two of its sessions, furnished ample proof that he was not in favor of free rum. He distinctly stated, when he introduced the bill at the opening of the session, that his measure was in the interest of law and order and a just administration of the government. That had been his ruling motive during his whole public life, and he challenged any one to cite a word or act to the contrary. He was as jealous of his reputation for fairness and candor as was the reverend gentleman himself, and he hoped never to commit any act which would tarnish his reputation in this regard. He was no more in favor of free rum than was the Reverend Howard Crosby, but he did not believe we could compel men to be temperate and virtuous by legislative enactment. He believed thoroughly in moral suasion as a remedy for the evils of intemperance. It was the true solution of the question. He criticised very severely the utterances of Dr. Crosby, as reported, and said they were unworthy of a man who occupies such an exalted social position. He had failed to exercise that Christian charity for his fellow-men that should distinguish a Christian minister, and he trusted that hereafter, when he mounts the platform to discuss these questions, he would couch his utterances in more temperate language. It was with extreme pain and reluctance that he arose to make this explanation, but he felt that his duty to maintain his own fair fame and the honor of his colleagues demanded it. These expressions would go forth broad-cast, and he felt that a vindication was due in the premises. He then cited facts to show how indefensible were the assertions of the reverend gentleman, that the citizens of New York were opposed to modification of the excise law. He said he would not follow Dr. Crosby's example, and characterize them as lies. He would simply say he was mistaken.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act to amend chapter 324 of the Laws of 1869, entitled 'An act for the election of a receiver of taxes and assessments for the town of Cortlandt and village of Peekskill,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Day	Lowing	Rowland
Allen	Douglass	Mapes	Sawyer
Alvord	Fish	Mattison	Searing
Andrews	Floyd-Jones	Mekeel	Seebacher
Astor	Foster	J. H. Miller	Sewell
Baker	Galvin	S. V. R. Miller	Shanley
Bathe	Grady	Moller	Sheldon
Beard	Griggs	Mooers	Skinner
Berry	Halliday	Meyenborg	Speaker
Bouck	Hamilton	Niven	Strack
Brooks	Havens	North	Sutherland
Browning	I. I. Hayes	Palmer	E. Taylor
Brundage	J. Hayes	Parker	Thain
Case	Hepburn	Pattengill	Townsley
Chase	Holbrook	Patterson	Valentine
Clapp	Hoyt	C. C. Peck	Waring
J. M. Clark	Hulme	D. C. Peck	Wheeler
Converse	Hurd	Peek	Wilbor
Cormack	Jones	Piper	Willers
Cosad	Keator	Pool	Williams
Crandall	Keegan	Prescott	Willis
Crawford	Kellogg	Purdy	Winch
Crowley	King	Reynolds	Worth
Curran	Langner	Roberts	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 516 of the Laws of 1867, entitled 'An act for the further protection of female employes in the city of New York,' passed April 22, 1867," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 1 }

Those who voted in the affirmative, were

Abbott	Crowley	Kern	Pool
Allen	Curran	King	Purdy
Andrews	Daly	Langner	Reynolds
Astor	Douglass	Lowing	Rowland
Baker	Fish	Mapes	Sawyer
Bathe	Floyd-Jones	Mattison	Searing
Beard	Foster	Mead	Seebacher

Berrigan	Galvin	Mekeel	Shanley
Berry	Grady	J. H. Miller	Sheldon
Bouck	Griggs	S. V. R. Miller	Skinner
Brooks	Halliday	Mooers	Strack
Browning	Hamilton	Meyenborg	Sutherland
Brundage	I. I. Hayes	Niven	E. Taylor
Burns	J. Hayes	North	Terry
Case	Henry	Noyes	Thain
Chase	Hobbie	Palmer	Townsley
Clancy	Holbrook	Parker	Valentine
Clapp	Hoyt	Pattengill	Wadsworth
J. Clark	Hurd	Patterson	Waring
J. M. Clark	Jones	C. C. Peck	Willers
Converse	Keator	D. C. Peck	Willis
Cormack	Keegan	Peek	Worth
Crandall	Kellogg		

For the negative,

Sewell

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal a certain portion of chapter 193 of the Laws of 1877, entitled 'An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations,'" being announced for a third reading,

On motion of Mr. Alvord, and by unanimous consent, said bill was amended in line 2, section 1, by striking out the word "twenty," and inserting in lieu thereof the word "seventy." And amending the title by striking out the word "twenty," and inserting in lieu thereof the word "seventy."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }
{ NOES 1 }

Those who voted in the affirmative, were

Abbott	Fish	Mattison	Rowland
Allen	Fitzgerald	McDonough	Sawyer
Andrews	Floyd-Jones	Mead	Searing
Astor	Galvin	Mekeel	Seebacher
Baker	Gilbert	J. H. Miller	Sewell
Bathe	Grady	S. V. R. Miller	Sheard
Berry	Griggs	Moller	Sheldon
Bouck	Hamilton	Mooers	Skinner
Brooks	I. I. Hayes	Neilson	Strack
Browning	J. Hayes	Niven	Sutherland
Brundage	Henry	North	E. Taylor
Burns	Hepburn	Noyes	Terry
Case	Holbrook	Palmer	Thain
Chase	Hoyt	Parker	Townsley

J. Clark	Hurd	Pattengill	Valentine
J. M. Clark	Jones	Patterson	Wadsworth
Converse	Keator	C. C. Peck	Waring
Crandall	Keegan	D. C. Peck	Wheeler
Crawford	Kellogg	Peek	Wilbor
Crowley	Kern	Piper	Williams
Curran	King	Pool	Willis
Daly	Langner	Prescott	Winch
Day	Lowing	Reynolds	Worth
Douglass	Mapes	Roberts	

For the negative,

Beard

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 220 of the Laws of 1862, entitled 'An act to reorganize the State Asylum for Idiots, and to provide for the government and management thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Daly	Kern	Rowland
Allen	Day	King	Sawyer
Alvord	Deyoe	Langner	Searing
Andrews	Fish	Lowing	Sewell
Astor	Floyd-Jones	Mattison	Shanley
Baker	Foster	McDonough	Sheard
Beard	Frank	Mead	Sheldon
Berrigan	Galvin	Mekeel	Skinner
Berry	Gilbert	S. V. R. Miller	Strack
Bouck	Grady	Moller	E. Taylor
Brooks	Griggs	Mooers	Terry
Browning	Halliday	Niven	Thain
Brundage	Hamilton	North	Townsley
Burns	Havens	Palmer	Valentine
Case	Henry	Parker	Wadsworth
Clancy	Hepburn	Pattengill	Waring
Clapp	Holahan	Patterson	Wheeler
J. Clark	Holbrook	D. C. Peck	Wilbor
J. M. Clark	Hoyt	Piper	Willers
Converse	Jones	Pool	Williams
Cormack	Keator	Prescott	Willis
Cosad	Keegan	Purdy	Winch
Crowley	Kellogg	Roberts	Worth
Curran			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 3 of chapter 564 of the Laws of 1865, entitled 'An act to amend chapter 122 of the Laws of 1851, entitled An act for the incorporation of building, mutual loan and accumulating fund associations,' passed June 9, 1875," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 96 }
 } NOES 00 }

Those who voted in the affirmative, were

Allen	Fish	Mattison	Sawyer
Alvord	Fitzgerald	Mead	Searing
Astor	Foster	J. H. Miller	Seebacher
Baker	Galvin	S. V. R. Miller	Sewell
Bathe	Gilbert	Moors	Shanley
Beard	Grady	Meyenborg	Sheard
Berrigan	Griggs	Neilson	Sheldon
Berry	Halliday	Nelson	Skinner
Bouck	Hamilton	Niven	Strack
Brooks	I. I. Hayes	North	Sutherland
Browning	Henry	Noyes	E. Taylor
Brundage	Hepburn	Palmer	Terry
Case	Hobbie	Parker	Thain
Chase	Holahan	Pattengill	Townsley
Clapp	Holbrook	Patterson	Valentine
J. Clark	Hoyt	C. C. Peck	Wadsworth
J. M. Clark	Hurd	D. C. Peck	Waring
Converse	Jones	Peek	Wheeler
Cormack	Keator	Pool	Wilbor
Cosad	Keegan	Prescott	Willers
Crawford	Kellogg	Purdy	Williams
Crowley	King	Reynolds	Willis
Curran	Langner	Roberts	Winch
Day	Lowing	Rowland	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

This being the day assigned by the rules for the consideration of general orders,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act authorizing the appointment of a person to perform clerical duties, etc., in the Supreme Court in Kings county."

"An act to prevent fraud in the manufacture and sale of commercial fertilizers."

"An act to authorize the extension of the time for the collection of taxes in the several towns of this State."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hepburn, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Hepburn, from said committee, also reported in favor of the pas-

sage of said first and second mentioned bills, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the resolution entitled as follows:

Senate, Concurrent resolution proposing an amendment to section 6, article 6 of the Constitution.

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Worth, from said committee, reported in favor of the passage of said resolution, and the same was ordered to a third reading.

Mr. Foster introduced a bill entitled "An act relating to the term of office of the supervisors of Albany county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Kellogg introduced a bill entitled "An act for the relief of the towns, incorporated villages and cities in this State, against which bonds are now outstanding that were issued to aid in the construction of railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hurd introduced a bill entitled "An act to regulate commitments of juvenile delinquents and other persons to charitable or reformatory institutions when the same is a county or city charge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

Mr. Worth introduced a bill entitled "An act in relation to ferries running between the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Thain introduced a bill entitled "An act relative to notices of writs of equity," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Strack introduced a bill entitled "An act to secure free exercise and enjoyment of religious profession and worship, without discrimination or preference, to all mankind confined in State prisons and other places of confinement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. I. I. Hayes introduced a bill entitled "An act to amend chapter 484 of the Laws of 1862, entitled 'An act in relation to the courts in the city and county of New York,' passed April 24, 1862," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Galvin introduced a bill entitled "An act for the relief of Sophia Dale, widow of James Alexander Gavin, late of the city of Brooklyn, county of Kings, and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a petition on same subject, which was read and referred to the same committee.

Mr. Winch introduced a bill entitled "An act to amend chapter 87 of the Laws of 1875, entitled 'An act providing for the appointment of additional notaries public,' " which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fish introduced a bill entitled "An act to prevent the adulteration of lard, and the manufacture and sale of adulterated lard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Mekeel introduced a bill entitled "An act to promote unity in the educational system of the State," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Havens introduced a bill entitled "An act to repeal chapter 403 of the Laws of 1868, entitled 'An act to establish and maintain a free bridge between Sag Harbor and North Haven, in the town of Southampton, Suffolk county, and to make such bridge a county charge,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Keator introduced a bill entitled "An act supplementary to chapter 29 of the Laws of 1865, in relation to the payment of bounties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Moller introduced a bill entitled "An act authorizing the appointment of commissioners to settle the disputed boundary line between the State of New York and the State of Connecticut, through Long Island Sound," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Federal relations.

Mr. Daly introduced a bill entitled "An act relative to public instruction in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Waring introduced a bill entitled "An act to facilitate the taking of evidence in surrogate's court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Griggs, Int. No. 146, entitled "An act in relation to coroners' fees, their term of office, and post-mortem examinations in Albany county," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Willers, Int. No. 183, entitled "An act in relation to the constitutional oath of office," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Willers, Int. No. 177, entitled "An act in relation to the authentication by the Secretary of State of all official acts of notaries public for use in foreign countries or elsewhere out of this State," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Pool, Int. No. 118, entitled "An act to legalize the acts of collectors throughout the State," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 448 of the Laws of 1876, entitled "An act relating to courts, officers of justice and civil proceedings," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, introduced a bill entitled "An act to provide means for the ordinary repairs of the canals for the calendar year of 1878, in case the revenues shall be insufficient to meet the appropriation for that purpose," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, to which was referred the resolution relative to tolls upon the Erie, Oswego, Champlain, Cayuga and Seneca canals, reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That the Legislature do concur in the recommendations of the Canal Board of the date of January 22, 1878, and assent to the adoption of the toll sheet of 1877, by said board, for the year 1878, as expressed in the following resolution of the Canal Board:

"Resolved, That the Canal Board recommend to the Legislature to concur in the rates of toll upon the Erie, Oswego, Champlain and Cayuga and Seneca canals, as stated in the accompanying toll-sheet, for the year 1878."

RATES OF TOLL—1877.

ESTABLISHED BY THE CANAL BOARD ON PERSONS AND PROPERTY TRANSPORTED ON THE ERIE, CHAMPLAIN, OSWEGO AND THE CAYUGA AND SENECA CANALS, TO TAKE EFFECT ON THE ELEVENTH OF MAY.

Toll is to be computed upon the Weight ("1,000 pounds per mile") of all articles contained in the following list, unless otherwise stated, opposite to the articles excepted.

A.

	c. m. fr.
Acid, sulphuric.....	0 1 0
Agricultural implements, going from tide water.....	0 1 0
Articles not enumerated, going toward tide water.....	0 1 5
On the same, going from tide water.....	0 1 0
Agricultural productions of the United States, not particularly specified.....	0 1 5
Apples.....	0 1 0
Ashes, pot and pearl.....	0 1 5
Ashes, leached.....	0 0 5

B.

Barley.....	0 0 5
Barrels, empty, transported in boats.....	0 1 0
Barrels, empty, transported in rafts.....	0 5 0
Barytes.....	0 1 5
Beans.....	0 0 5
Bedstead stuff (see Lumber No. 3).....	0 0 7½
Bleaching powders, going from tide water.....	0 0 5

	c.	m.	fr.
Boat knees (see Lumber No. 3).....	0	0	7½
Bolts, stave, if carried in boats.....	0	0	5
Bolts, stave, if carried in rafts.....	0	5	0
Bones	0	0	5
Boxes, stuff for (see Lumber No. 3).....	0	0	7½
Bran	0	1	0
Brick of every description	0	0	5
Brimstone	0	1	0
Broom handles (see Lumber No. 3)	0	0	7½
Brush backs (see Lumber No. 3).....	0	0	7½
Brush handles (see Lumber No. 3).....	0	0	7½
Butter	0	1	5
Butts, stave, if carried in boats.....	0	0	5
Butts, stave, if carried in rafts	0	5	0

C.

Cabinet ware.....	0	1	5
Carboys	0	1	5
Carts.....	0	1	5
Car axles.....	0	1	0
Car axles, when cleared at tide water	0	0	5
Car wheels (iron)	0	0	5
Carriages and sleighs.....	0	1	5
Casks, empty, transported in boats.....	0	1	0
Casks, empty, transported in rafts	0	5	0
Castings, all iron castings.....	0	1	0
Cedar posts (see Lumber No. 2), per 1,000 feet, per mile	0	1	5
Cedar, red (see Lumber No. 2), per 1,000 feet, per mile.....	0	1	5
Cement, fire proof.....	0	1	0
Chair stuff (see Lumber No. 3).....	0	0	7½
Charcoal.....	0	0	5
Cheese	0	1	0
Cider	0	1	0
Clay	0	0	5
Coal, anthracite	0	0	2½
Coal, bituminous.....	0	0	2½
Coal oil.....	0	0	5
Coal tar, and products thereof.....	0	0	5
Copper ore	0	0	5
Copper, pig and smelted.....	0	0	5
Corn	0	0	5
Crockery	0	0	5
Cullet, or broken glass to be melted over.....	0	0	5

E.

Earth	0	0	5
Esculent roots.....	0	1	0

F.

Fellies (see Lumber No. 3).....	0	0	7½
Fire-proof cement.....	0	1	0
Fire brick.....	0	0	5
Fish, salted, going from tide water.....	0	0	5

	c. m. fr.
Flax seed.....	0 1 5
Flour	0 0 5
Furniture, cabinet ware and chairs.....	0 1 5
Furniture for stoves, not cast iron	0 1 5

G.

Gas pipes.....	0 0 5
Glass ware.....	0 1 0
Grease	0 1 5
Gunstocks (see Lumber No. 3)	0 0 7½
Gypsum, ground and unground.....	0 1 0
Gypsum, unground product of this State.....	0 0 5

H.

Hand spikes (see Lumber No. 3).....	0 0 7½
Hay pressed.....	0 0 5
Heading undressed, transported in boats.....	0 0 5
Heading, dressed or partly dressed.....	0 0 5
Heading, transported in rafts.....	0 5 0
Hides	0 1 5
Hop poles (see Lumber No. 3).....	0 0 7½
Hop poles, transported in rafts	0 5 0
Hoop poles (see Lumber No. 3)	0 0 7½
Hoop poles, transported in rafts.....	0 5 0
Hoops, rived	0 1 0
Horses	0 3 0
Horses, used exclusively for towing boats and other floats exempt from toll.....	0 0 0
Horse shoes.....	0 0 5
Hubs (see Lumber No. 3).....	0 0 7½

I.

Ice.....	0 0 5
Iron, articles exclusively manufactured of wrought or rolled iron not specifically enumerated, when cleared at tide-water....	0 0 5
Iron in sheets, bars and bundles	0 1 0
Iron and steel, in bars and bundles, when cleared at tide-water,	0 0 5
Iron ore	0 0 2½
Iron, bloom and pig.....	0 0 5
Iron, boiler, when cleared at tide-water	0 0 5
Iron, boiler	0 1 0
Iron, bridge and railing	0 1 0
On the same, when cleared at tide-water.....	0 0 5
Iron bolts.....	0 1 0
On the same, when cleared at tide-water.....	0 0 5
Iron safes.....	0 1 0

J.

Junk	0 1 0
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L.

Last blocks (see Lumber No. 3)	0 0 7½
Lath (see Lumber No. 1).....	0 0 7½

	c. m. fr.
Lath (see Lumber No. 2), per 1,000 feet, per mile, estimated at twenty feet for each bunch of one hundred pieces.....	0 1 5
Lath (see Lumber No. 3).....	0 0 7½
Lime, manufactured.....	0 1 0
Lime, water.....	0 1 0
Limestone.....	0 0 5
Looking-glass backs (see Lumber No. 3).....	0 0 7½

LUMBER No. 1.*—Transported in boats, by weight, per 1,000 pounds, per mile :

White pine, white wood, bass-wood, cedar, boards, planks, scantling, and on all sidings, lath and other sawed stuff less than one inch thick (except such as is enumerated in Lumber No. 3)	0 0 7½
Oak, hickory, beach, sycamore, black walnut, butternut, maple, ash, elm, fir, tamarack, yew and cherry.....	0 0 5
Hemlock and spruce	0 0 3½

LUMBER No. 2.*—Transported in boats by measurement, per 1,000 feet, per mile :

Boards, plank, scantling, railroad ties, pickets for fences, and sawed timber, siding, lath and other sawed stuff, less than one inch thick, reduced to inch measure (except such as is enumerated in Lumber No. 3); lath, when cleared by measurement, may be estimated at twenty feet for each bunch of 100 pieces; and all kinds of red cedar, cedar posts, estimated that a cord, after deducting for openings, will contain 1,000 feet	0 1 5
Hemlock and spruce, per 1,000 feet, per mile, when not weighed	0 1 0
Lumber No. 2, transported in rafts, per 1,000 feet, per mile,	1 2 5

LUMBER No. 3.*—Transported in boats, by weight, per 1,000 pounds per mile :

Sawed lath of less than ten feet in length, split lath, hoop poles, hand spikes, rowing oars, broom handles, spokes, hubs, treenails, fellies, boat and ship knees, plane stocks, pickets for fences, railroad ties, last blocks, stuff (manufactured or partly manufactured) for boxes, chairs and bedsteads, hop poles, brush handles, brush backs, looking-glass backs, gun stocks, plow beams and plow handles	0 0 7½
Sawed stuff for window blinds, not exceeding one-fourth of an inch in thickness	0 2 0

M.

Mahogany	0 1 0
Malt	0 0 5

* LUMBER shall not be cleared by measurement when carried in a boat having other articles on board paying toll by weight, but such lumber shall in all cases be also cleared by weight.

When a cargo is composed entirely of lumber, which can be cleared by weight or measure, the whole of such cargo shall be cleared by measurement or by weight, as the shipper or master may elect, and in no case shall a portion of any such cargo be cleared by measurement and the other portion by weight.

	c. m. fr.
Manure	0 0 5
Marl	0 0 5
Merchandise, non-enumerated	0 1 0
Molasses	0 0 5

N.

Nails	0 0 5
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O.

Oats	0 0 5
Oil cake	0 1 0
Oil meal	0 1 0
Onions	0 1 0

P.

Passengers over ten years of age, per mile	0 0 5
Petroleum or earth oil, crude and refined	0 0 5
Peas	0 0 5
Peat	0 0 5
Pickets for fences (see Lumber Nos. 2 and 3)	0 1 0
Pig copper	0 0 5
Pig iron	0 0 5
Plane stocks (see Lumber No. 3)	0 0 7½
Plaster, calcined, or plaster of Paris, going from tide-water ...	0 0 5
Plow beams (see Lumber No. 3)	0 0 7½
Plow handles (see Lumber No. 3)	0 0 7½
Posts, split and round, not exceeding eight feet in length, carried in boats, per M., per mile	1 5 0
Potatoes	0 1 0
Powder and gunpowder	0 4 0

R.

Rags	0 1 5
Railroad chairs	0 1 0
On the same, when cleared at tide-water	0 0 5
Railroad iron	0 0 5
Railroad ties (see Lumber Nos. 2 and 3)	
Rails for fences, not exceeding fourteen feet in length, carried in boats, per M., per mile	1 5 0
On the same, if carried in rafts, per M., per mile	8 0 0
Rice, going from tide-water	0 1 0
Roots, esculent	0 1 0
Rowing oars (see Lumber No. 3)	0 0 7½
Rye	0 0 5

S.

Sal soda, going from tide-water	0 0 5
Salted fish, going from tide-water	0 0 5
Salt, foreign	0 2 5
Salt, manufactured in this State	0 0 5
Sand	0 0 5
Sawed stuff (see Lumber Nos. 2 and 3)	
Sawdust	0 0 5

	c. m. fr.
Scrap iron	0 0 5
Shingles, in boats, per 1,000 pounds, per mile	0 1 0
Shingles, in boats, per M., per mile	0 0 5
Shingles, per M., per mile, in rafts	0 4 0
Ship knees	0 1 5
Ship knees, transported in rafts	0 5 0
Ship stuffs	0 1 0
Shooks, stave	0 0 5
Shrubbery and trees	0 3 0
Siding (see Lumber No. 1)	0 0 7½
Siding (see Lumber No. 2), per 1,000 feet surface measure	0 1 5
Slate	0 0 5
Sleighs	0 1 5
Soda ash	0 0 5
Spikes	0 0 5
Split posts and round, not exceeding eight feet in length, carried in boats, per M., per mile	1 5 0
On the same, if carried in rafts, per M., per mile	8 0 0
Spokes (see Lumber No. 3)	0 0 7½
Staves and heading, sawed, cut and dressed, or partly dressed, shooks and stave bolts and butts, not exceeding four feet and a half in length, transported in boats	0 0 5
On the same, if transported in rafts	0 5 0
Steel, in bars and bundles	0 1 0
On the same when cleared at tide-water	0 0 5
Stone for the manufacture of lime	0 0 5
Stone, wrought	0 0 5
Stone, unwrought and partly wrought	0 0 5
Stoves	0 1 0
Straw, pressed, and any pressed vegetable substance used for the manufacture of paper or paper pulp	0 0 5
Sugar	0 0 5

T.

Tan bark, per cord, per mile, carried in boats	0 5 0
Tan bark, per cord, per mile, carried in rafts	2 0 0
Tan bark, ground, per 1,000 pounds, per mile	0 2 5
Tar	0 1 0
TIMBER per 100 cubic feet, per mile, transported in boats:	
Squared and round, other than hemlock	0 5 0
Squared and round, hemlock	0 3 0
Squared and round, transported in rafts	1 0 0
Sawed timber (see <i>Lumber No. 2</i>) per 1,000 feet, per mile,	0 1 5
Tin plate, going from tide-water	0 0 5
Tobacco, going from tide-water	0 1 0
Treenails (see <i>Lumber No. 3</i>)	0 0 7½
Trees and shrubbery	0 3 0
Turnips	0 1 0
Turpentine	0 1 0

V.

Varnish	0 1 0
Vinegar	0 1 0

c. m. fr.

W.

Wagons	0 1 5
Water lime	0 1 0
Water pipes	0 0 5
Wheat	0 0 5
Window blinds, sawed stuff for (<i>See Lumber No. 3</i>)	0 2 0
Window sashes	0 4 0
Wood for fuel, per cord, per mile	0 4 0
Wood for fuel, per cord, per mile, carried on rafts.....	2 0 0
Wood used in the manufacture of salt, per cord, per mile.....	0 5 0

FREE LIST.

Bacon.	Domestic cottons.	Lard.
Beef salted.	Domestic woolens.	Lard oil.
Boats.	Dried Fruit.	Lead, bar and pig.
Cattle, alive.	Furs, and skins of animals producing furs.	Leather.
Clover seed.	Grass seed.	Pork, salted.
Coffee.	Hemp.	Sheep, alive.
Corn meal.	Hogs alive.	Tallow.
Cotton.	Hops.	Tobacco, manufactured.
Domestic dist'd spirits.		Wool.

All up freight, except foreign salt, reduced fifty per cent below the rates of 1876.

STATE OF NEW YORK,
CANAL DEPARTMENT,
ALBANY, May 10, 1877. }

I certify the foregoing to be a correct list of the rates of toll established by the Canal Board, to take effect on the eleventh May.

G. W. SCHUYLER,
Auditor.

Mr. Alvord moved that said resolution be made a special order for Tuesday next immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The privileges of the floor were granted to the Hon. W. F. Beckwith. Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Graham, Int. No. 120, entitled "An act to amend an act entitled 'An act to incorporate the city of Newburgh,' passed April 22, 1865, and the several acts amendatory thereof," reported the same for the consideration of the House.

Mr. Fish moved that said bill be recommitted to the committee on affairs of cities when printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Worth, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Brooks, Int. No. 10, entitled "An act to establish the exterior bulk-head and pier lines of the harbor of New York, on the Staten Island side," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Keegan, Int. No. 56, entitled "An act for the better protection of policy holders of life insurance companies doing business in this State," reported the same for the consideration of the House.

Mr. Hepburn moved that said bill be recommitted to the committee on insurance when printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Allen, Int. No. 23, entitled "An act to exempt the county of Erie from the provisions and operations of chapter 344 of the Laws of 1877, entitled 'An act to authorize railroad corporations to pay commutation money for highway labor to the commissioners of highways of towns,'" reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend chapter 344 of the Laws of 1877, entitled 'An act to authorize railroad corporations to pay commutation money for highway labor to the commissioners of highways of towns,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, introduced a bill entitled "An act to amend chapter 348 of the Laws of 1876, entitled 'An act to amend section 32, part 1, title 1, article 3, chapter 16, of the Revised Statutes,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Skinner, from the committee on public printing, reported in favor of the adoption of the following resolutions:

Resolved (if the Senate concur), that there be printed as follows:

Twenty-five hundred extra copies of the annual report of the Comptroller, for 1878, to be bound in paper covers, for the use of the Legislature, to be distributed under the direction of the Comptroller.

Two thousand extra copies of the Adjutant-General's report, to be bound in cloth; 1,500 copies for the use of the Adjutant-General's department and 500 copies for the use of the Legislature, to be distributed under the direction of the Adjutant-General.

One thousand extra copies of the annual report of the Superintendent of State Prisons, to be bound in paper covers, for the use of the Superintendent.

Five hundred extra copies of the report of the Trustees of the New York Asylum for Idiots, to be bound in paper covers, for the use of the trustees.

One thousand extra copies of the report of the State Engineer and Surveyor on Canals, for the use of that officer, five hundred copies to be bound in cloth, and five hundred copies in paper covers.

Fifteen hundred extra copies of the annual report of the Institution for the Instruction of the Deaf and Dumb, to be bound in paper covers for the use of that institution.

One thousand extra copies of the annual report of the Western New York Institution for Deaf Mutes, to be bound in paper covers, for the use of that institution.

Five hundred extra copies of the annual report of the Superintendent of the Onondaga Salt Springs, to be bound in paper covers, for the use of said superintendent.

One thousand extra copies of the report of the Trustees of the Willard

Asylum for the Insane, at Ovid, to be bound in paper covers, for the use of said asylum.

One thousand extra copies of the report of the State Homœopathic Asylum for the Insane, at Middletown, to be bound in paper covers, for the use of the trustees of said asylum.

Five hundred extra copies of the financial report of the Auditor of the Canal Department for the fiscal year ending September 30, 1877, to be bound in paper covers, for the use of said officer; provided, in each and every case, the cost of printing of the extra documents named in this resolution shall not exceed ten cents per page per one hundred copies.

Also, the following:

Resolved (if the Senate concur), that the clerks of the two houses furnish each Senator and Member of the present Legislature, the Senate and Assembly and State Libraries, with three copies each, and the elective officers of the Senate and Assembly, and the reporters of both houses, with one copy each of the New York Civil List, the same to be brought down to include all officers of the National and State Governments, to and including the year 1878, providing that the cost thereof shall not exceed two dollars per copy.

On motion of Mr. Skinner said report was laid on the table and ordered printed.

Mr. Skinner, from the committee on public printing, to which was referred the resolutions to print extra copies of the Governor's message in German and English, and the Attorney-General's opinion on reapportionment, said resolutions being in words following, reported adversely thereto:

Resolved, That 5,000 copies of the Governor's annual message be printed in German for the use of the members of this House.

Resolved, That 3,000 copies of the opinion of the Attorney-General on the subject of apportionment be printed for the use of the Assembly.

Resolved, That 3,000 copies of the annual message of the Governor be printed for the use of the Assembly.

Mr. Fish called for a division of the question on agreeing to said report.

Mr. Speaker put the question whether the House would agree to so much of said report as relates to printing Governor's message in German; also, Attorney General's opinion on apportionment; and it was determined in the affirmative.

Mr. Fish moved to disagree with the report of the committee, so far as relates to the printing of the Governor's message in English, and that said resolution be adopted.

Mr. Alvord moved to amend said report by inserting after the word "English," the words "for the use of the Governor."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

} AYES 73 }
 } NOES 23 }

Those who voted in the affirmative, were

Allen	Daly	Jones	Patterson
Alvord	Day	Keegan	C. C. Peck

Andrews	Fish	Kellogg	D. C. Peck
Astor	Fitzgerald	Kern	Peek
Baker	Floyd-Jones	King	Piper
Bathe	Frank	Langner	Pool
Bergen	Galvin	Loveland	Sawyer
Berrigan	Grady	Lowing	Searing
Bouck	Griggs	Mapes	Seebacher
Burns	Halliday	Mattison	Shanley
Case	Hamilton	Mead	Sheard
Clancy	Havens	S. V. R. Miller	Strack
Clapp	Henry	Mooers	E. Taylor
J. Clark	Hepburn	Niven	Wadsworth
J. M. Clark	Holahan	North	Waring
Converse	Holbrook	Palmer	Wheeler
Cosad	Hoyt	Parker	Wilbor
Crandall	Hurd	Pattengill	Willis
Crowley			

Those who voted in the negative, were

Abbott	Cormack	Prescott	Sutherland
Beard	Curran	Reynolds	Terry
Berry	Keator	Roberts	Townsley
Brooks	Mekeel	Sewell	Valentine
Brundage	J. H. Miller	Sheldon	Worth
Chase	Noyes	Skinner	

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Mattison, Int. No. 49, entitled "An act to incorporate Albion Lodge No. 67 of the Ancient Order of United Workmen," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Deyoe, Int. No. 63, entitled "An act to empower Greenfield Centre Lodge No. 308 of the I. O. of O. F. of the State of New York and county of Saratoga and town of Greenfield, to hold and convey real and personal estate, and constitute the same a corporation," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Holahan, Int. No. 6, entitled "An act to authorize the religious society in the city of New York, known as the Congregation Rodef Scholem to buy, hold and convey land for cemetery purposes," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Peck, from the committee on public education, to which was referred the Senate bill entitled "An act to authorize the board of education of Fairport union free school, district No. 9, of the town of Perinton, Monroe county, to issue coupon bonds to replace the moneys lost by the district, through the defalcation of its treasurer," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Astor, from the committee on militia, to which was referred the

bill introduced by Mr. Meyenborg, Int. No. 199, entitled "An act granting free passage through toll-gates, and over toll-bridges and ferries, to the National Guard," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sheard, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Langner, Int. No. 41, entitled "An act to amend an act entitled 'An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess, passed April 17, 1854,' as amended by chapter 558 of the Laws of 1869, entitled "An act for the better security of mechanics and others erecting buildings in either of the counties of this State, except the counties of Erie, Kings, Queens, New York and Onondaga, and as further amended by chapter 489 of the Laws of 1873, and by chapter 551 of the Laws of 1874, and by chapter 233 of the Laws of 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord called from the table the report of the board of audit, and said report was referred to the committee on ways and means.

Mr. Chase, from the committee on expenditures of the House, to which was referred the resolution relative to the purchase of copies of the Revised Statutes, reported in favor of the adoption of the following resolution:

Resolved, That four copies and two-thirds volumes of the sixth edition Revised Statutes of the State of New York be purchased for the use of the committees of the House, and the member thereof.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Douglass	Loveland	Roberts
Andrews	Fish	Mapes	Sawyer
Astor	Fitzgerald	Mattison	Searing
Beard	Floyd-Jones	McDonough	Seebacher
Bergen	Foster	Mead	Sewell
Berrigan	Galvin	Mekeel	Shanley
Berry	Gilbert	S. V. R. Miller	Sheard
Bouck	Grady	Mooers	Sheldon
Brooks	Griggs	Nelson	Skinner
Browning	Halliday	North	Strack
Brundage	Hamilton	Noyes	E. Taylor
Case	I. I. Hayes	Palmer	Terry
Chase	Henry	Parker	Thain
Clapp	Hobbie	Pattengill	Valentine
J. Clark	Holbrook	Patterson	Wadsworth
J. M. Clark	Hoyt	C. C. Peck	Waring
Cormack	Hurd	D. C. Peck	Wheeler
Cosad	Jones	Peek	Wilbor
Crandall	Keegan	Piper	Willers
Crawford	Kern	Pool	Willis

Curran
Day
Deyoe

King
Langner

Prescott
Reynolds

Winch
Worth

Mr. Chase, from the committee on expenditures of the House, to which was referred the resolution relative to the appointment of an assistant superintendent of documents of the Assembly for the session of 1878, reported in favor of the adoption of the following resolution:

Whereas, The duties of the superintendent of documents, comprising among others, the filing and indexing of all bills and documents, and a constant attendance at the document room, of from twelve to fifteen hours each day, as well as answering of almost incessant calls of members, committees and clerks of the House, render more help necessary for their faithful performance; therefore,

Resolved, That Ezra Parmelee, Jr. be and he hereby is appointed assistant superintendent of documents, with the same compensation as the superintendent, and paid in the same manner.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

} AYES 14 }
} NOES 74 }

Those who voted in the affirmative, were

Berrigan	Hepburn	Lowing	Palmer
Chase	Hoyt	S. V. R. Miller	Patterson
J. Clark	Hurd	North	Peek
Gilbert	Jones		

Those who voted in the negative, were

Abbott	Day	Mead	Sawyer
Allen	Deyoe	Mekeel	Searing
Alvord	Fish	J. H. Miller	Seebacher
Andrews	Floyd-Jones	Moller	Sewell
Bathe	Foster	Mooers	Sheard
Beard	Galvin	Meyenborg	Skinner
Berry	Grady	Neilson	Strack
Bouck	Griggs	Nelson	Sutherland
Brooks	Halliday	Noyes	E. Taylor
Brundage	Hamilton	Parker	Terry
Case	Havens	Pattengill	Townsley
Clancy	Henry	C. C. Peck	Wadsworth
Clapp	Hobbie	D. C. Peck	Waring
Converse	Holahan	Piper	Wheeler
Cormack	Keegan	Pool	Wilbor
Cosad	Kellogg	Prescott	Willers
Crowley	Langner	Purdy	Willis
Curran	Loveland	Roberts	Worth
Daly	Mattison		

Mr. Hepburn moved to reconsider the vote by which said resolution was lost, and that that motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the negative.

Mr. Gilbert moved that the bill entitled "An act supplemental to the Code of Civil Procedure," be recommitted to the committee on the judiciary, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Mapes, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 92 {
} NOES 00 {

Those who voted in the affirmative, were

Abbott	Crowley	Langner	Sawyer
Allen	Curran	Loveland	Searing
Alvord	Daly	Mapes	Seebacher
Andrews	Day	Mattison	Sewell
Astor	Fish	McDonough	Shanley
Baker	Floyd-Jones	Mead	Sheard
Bathe	Foster	Mekeel	Sheldon
Beard	Frank	S. V. R. Miller	Skinner
Bergen	Galvin	Mooers	Speaker
Berrigan	Gilbert	Nelson	Strack
Berry	Grady	Niven	E. Taylor
Bouck	Griggs	Noyes	Terry
Browning	Halliday	Parker	Thain
Brundage	Hamilton	Pattengill	Townsley
Burns	Hobbie	Patterson	Valentine
Clancy	Holahan	C. C. Peck	Wadsworth
Clapp	Holbrook	Peek	Waring
J. M. Clark	Hoyt	Piper	Wheeler
Converse	Hurd	Pool	Wilbor
Cormack	Jones	Prescott	Willers
Cosad	Keator	Purdy	Williams
Crandall	Keegan	Roberts	Willis
Crawford	Kellogg	Rowland	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented the annual report of the Commissioners of Emigration of the State of New York; which was laid on the table and ordered printed.

(See Senate Doc. No. 18.)

Mr. Allen presented a petition of 147 citizens of the city of Buffalo, asking for the restoration of the fares charged by the street railroads of

Buffalo to the original charter rates; which was read and referred to the committee on railroads.

Messrs. Hobbie, Peck, E. Taylor, Peek, Allen, Foster, Griggs, Wheeler, Wilbor, Mooers, Berry, Parker, Thain, Prescott, Brooks, Mattison, Rowland, S. V. R. Miller, Havens, Sutherland, Keator, Reynolds, Terry, J. H. Miller, Valentine, Speaker, Searing, and Hoyt, presented petitions against any modification of excise laws; which were read and referred to the committee on internal affairs.

Messrs. Purdy, Searing, Prescott, Clancy, Shanley, Crowley, Curran, Converse, Wilbor, Loveland, Berrigan, Willers, Alvord, Worth, McDonough, J. Clark, Hollahan, Astor, Strack, Baker, Browning, Thain, Seebacher, Frank, Grady, and Fitzgerald, presented petitions in favor of a modification of excise laws; which were read and referred to the committee on internal affairs.

Mr. Prescott presented a petition of the Central New York Institute for Deaf Mutes, for a building appropriation; which was read and referred to the committee on ways and means.

Also, a petition for reappropriation for retaining wall and bridge at Rome, New York; which was read and referred to the committee on canals.

Mr. Daly presented a memorial of tax-payers in the city of New York, praying for a reduction of official salaries in that city; which was read and referred to the committee on affairs of cities.

Mr. Willers offered for the consideration of the House a resolution, in the words following:

Resolved, That the Comptroller be and he is hereby respectfully requested to furnish to this House a list of the contributions by supervisors from towns and cities of this State, and by individuals, for the erection of a hall of military record, pursuant to chapter 744, Laws of 1865, and chapter 610, Laws of 1866, and also to state in what manner the amounts so contributed have been expended or are now invested.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Brooks offered for the consideration of the House a resolution, in the words following:

Resolved, That it is expedient to place the article of flour upon the free list, the amount of tolls received through the canal season of 1877 being but \$903 for all the flour passed over the canal.

Mr. Brooks moved that said resolution be made a special order for Tuesday morning next immediately after reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Worth offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk be directed to file with the Secretary of State the map prepared by the dock department of the city of New York of the pier lines of that city, which map is now in the custody of the Clerk, being on the files of this House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Skinner offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the Secretary of State be hereby

authorized to distribute to each member of the present Legislature, ten copies of the census report of 1875, now printed and remaining in his office.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Mr. Skinner offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That 2,500 copies of the twenty-fourth annual report of the Superintendent of Public Instruction be printed for distribution by that officer, the same to be bound in cloth; also one copy for each school commissioner in the State, and 500 copies bound in cloth for the use of the Legislature.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Mr. Skinner offered for the consideration of the House a resolution, in the words following:

Whereas, The official reporters of the Legislature should be accorded every facility consistent with Legislative expenditure, for performing their work; therefore,

Resolved, That the Clerk of this House be authorized to furnish each of said official reporters a complete set of file boards, properly labeled with the reporter's name, and the paper he represents, and that the sergeant-at-arms be instructed to see that complete files of all printed bills, documents, journals, etc., be kept upon such files in the same manner as the files of members are kept.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Cormack moved to take from the table the adverse report of the committee on charitable and religious societies, in the words following:

"Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Cormack, entitled 'An act to amend section 1 of chapter 803, entitled An act to amend the acts to provide for the incorporation of religious societies as far as the same relates to churches in connection with the Protestant Episcopal Church,' reported adversely thereto."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the negative.

Said bill was then committed to the committee of the whole.

On motion of Mr. Gilbert, at 1 o'clock and 40 minutes the House adjourned.

FRIDAY, FEBRUARY 1, 1878.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to provide for the appointment and compensation of deputies and clerks in the Attorney-General's office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to amend chapter 69 of the Laws of 1873, entitled 'An act requiring commissioners of highways to give notice of the discontinuance of public highways,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend sections 81 and 82 of article 4, title 1 of part 1 of chapter 16 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 194 of the Laws of 1873, entitled 'An act to continue in force and amend chapter 138 of the Laws of 1852, entitled 'An act to incorporate the firemen of the city of Utica as a benevolent association,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to amend section 52 of article 3, title 1, chapter 6, part 2 of the Revised Statutes, providing that devises and bequests in certain cases shall not lapse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the town of Richfield, in the county of Otsego, to refund its funded debt," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the town of Otsego, in the county of Otsego, to issue bonds to redeem and pay the bonds issued by said town in aid of the Cooperstown and Susquehanna Valley Railroad Company by virtue of chapter 758 of the Laws of 1865, and by virtue of chapter 422 of the Laws of 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Senate was received and read, requesting the concurrence of the Assembly to resolutions in the words following:

Resolved (if the Assembly concur), that 2,500 copies of the annual report of the Managers of the New York State Lunatic Asylum be printed for the use of the managers of said asylum, provided the cost of printing the same does not exceed ten cents per page per 100 copies.

Resolved (if the Assembly concur), that 2,500 copies of the annual report of the Managers of the Western House of Refuge be printed for the use of the managers, provided the cost does not exceed ten cents per page per 100 copies.

Resolved (if the Assembly concur), that 500 copies of the annual report of the Trustees of the Astor Library be printed for the use of the library, provided the cost of printing the same does not exceed ten cents per page per 100 copies.

Resolved (if the Assembly concur), that there be printed for the use of the Canal Commissioners, 1,000 copies of the annual report of the Canal Commissioners for the year ending September 30, 1877, to be bound in cloth; and, also, 1,000 copies in paper covers for the use of the Legislature; provided the cost of printing the same does not exceed ten cents per page per 100 copies.

Ordered, That said resolutions be referred to the committee on public printing.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to repeal chapter 72 of the Laws of 1877, passed March 29, 1877, entitled 'An act to regulate voting in the Western New York Agricultural Society.'"

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Converse introduced a bill entitled "An act requiring the highway tax of the New York Central and Hudson River Railroad Company through the town of Mentz, to be applied to the repairs of certain highways and bridges in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Cormack introduced a bill entitled "An act making reappropriations to Delaware county, for the maintenance and education of indigent and homeless persons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hurd introduced a bill entitled "An act amending section 1, chapter 209, of the Laws of 1877, relating to the organization of insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Meyenborg introduced a bill entitled "An act in relation to the issue and sale of ferry tickets by the Union Ferry Company of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Andrews introduced a bill entitled "An act to provide for the care, government, protection and improvement of the public park, known as Ross Park, in the city of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Beard introduced a bill entitled "An act to authorize the city of Elmira to issue bonds for the payment of certain other bonds of said city falling due on or before November 1, 1878," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Alvord, from the committee on ways and means, introduced a bill entitled "An act to amend section 8, chapter 399 of the Laws of 1860, entitled 'An act to amend the several acts in relation to State prisons,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred

the bill introduced by Mr. Daly, Int. No. 5, entitled "An act to regulate the sale of intoxicating liquors, wines, ale and beer in the city of New York," reported in favor of the passage of the same, with amendments; which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Waring and Skinner dissented).

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McDonough, Int. No. 221, entitled "An act further to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" moved that said bill be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Williams, Int. No. 142, entitled "An act to authorize the formation of town insurance companies," moved that said bill be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to prevent fraud in the manufacture and sale of commercial fertilizers.

"An act to authorize the extension of the time for the collection of taxes in the several towns of this State."

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Prescott, Int. No. 178, entitled "An act to amend an act entitled 'An act to authorize the appointment of a librarian to take charge of the law library in the Fifth judicial district located in Utica,' passed April 5, 1877," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Gilbert, Int. No. 230, entitled "An act to amend article 3 of title 3 of chapter 6 of part 2 of the Revised Statutes, 'of the duties of executors and administrators in rendering an account, and in making distribution to the next of kin,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hepburn, Int. No. 11, entitled "An act to amend section 473 of the Code of Civil Procedure," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Thain, Int. No. 113, entitled "An act for the relief of Isaac Piser," reported adversely thereto.

Mr. Gilbert moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Leave of absence was granted to Mr. Thain.

Messrs. Curran, Foster, Grady, Waring, Worth, Prescott, Brundage, Case, Townsley, Galvin, McDonough, Seebacher, Strack, Baker, Holahan and Browning presented petitions in favor of a modification of excise

laws; which were read and referred to the committee on internal affairs.

Messrs. Deyoe, S. V. R. Miller, Fish, Holbrook, Prescott, Wilbor, Waring, Valentine and Daly presented petitions against any modification of excise laws; which were read and referred to the committee on internal affairs.

Indefinite leave of absence was granted to Mr. Crowley.

Mr. Astor offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That there be printed 1,500 extra copies of the eleventh annual report of the New York Institution for the Improved Instruction of Deaf Mutes, for the use of said institution, to be bound in paper.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Holbrook introduced a bill entitled "An act to abolish the office of Canal Appraiser," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 3 }

Those who voted in the affirmative, were

Abbott	Fitzgerald	Langner	Roberts
Allen	Floyd-Jones	Loveland	Rowland
Astor	Foster	Lowing	Seebacher
Baker	Gilbert	Mattison	Sewell
Bathe	Grady	McDonough	Shanley
Beard	Griggs	J. H. Miller	Sheard
Bergen	Hamilton	S. V. R. Miller	Sheldon
Berrigan	I. I. Hayes	Meyenborg	Skinner
Berry	J. Hayes	Nelson	Strack
Bouck	Henry	North	Sutherland
Brooks	Hepburn	Noyes	E. Taylor
Browning	Hobbie	Palmer	Terry
Case	Holahan	Parker	Townsley
Chappell	Holbrook	Pattengill	Valentine
J. M. Clark	Hoyt	Patterson	Wadsworth
Converse	Hurd	C. C. Peck	Waring
Cormack	Jones	Peek	Wheeler
Curran	Keator	Piper	Wilbor
Daly	Keegan	Pool	Williams
Day	King	Reynolds	Winch
Fish			

Those who voted in the negative, were

Brundage Purdy Searing

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate concurrent resolution proposing an amendment to section 6, article 6 of the Constitution, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 1 }

Those who voted in the affirmative, were

Abbott	Fish	Mattison	Purdy
Allen	Floyd-Jones	McDonough	Reynolds
Alvord	Foster	Mekeel	Roberts
Andrews	Gilbert	J. H. Miller	Rowland
Baker	Grady	S. V. R. Miller	Sawyer
Bathe	Griggs	Mooers	Searing
Bergen	Havens	Meyenborg	Seebacher
Berrigan	I. I. Hayes	Neilson	Sewell
Berry	Henry	Nelson	Sheard
Bouck	Hepburn	North	Sheldon
Brooks	Hobbie	Noyes	Skinner
Browning	Holahan	Palmer	Strack
Brundage	Holbrook	Parker	Sutherland
Case	Hoyt	Pattengill	E. Taylor
Chase	Jones	Patterson	Terry
Clapp	Keator	C. C. Peck	Townsley
J. Clark	Keegan	D. C. Peck	Valentine
J. M. Clark	King	Peek	Wadsworth
Daly	Langner	Piper	Wilbor
Day	Loveland	Pool	Williams
Deyoe	Lowing	Prescott	Winch

For the negative,

Beard

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

This being the day assigned by the rules for the consideration of general orders,

The House resolved itself into a committee of the whole on the bill entitled as follows:

"An act to abolish the office of commissioner of jurors of the city of New York and to transfer the duties of said office to the clerk of the city and county of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Alvord, from said committee, reported in favor of the passage of said bill.

The question being on agreeing to said report,

Mr. Brooks moved to amend said report of the committee of the

the whole by striking out all of sections 1 and 2, and inserting the following:

"The salary of the commissioner of jurors shall, from and after the expiration of the term of service of the present incumbent, to wit.: from April 30, 1879, be reduced from \$15,000 to \$5,000, for each year, with such allowances for clerical service not in excess of \$6,000 for each year, as may be agreed upon and allowed by the Board of Estimate and Apportionment of the city and county of New York."

Mr. I. I. Hayes moved the previous question.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Brooks, and it was determined in the negative.

{ AYES 36 }
{ NOES 55 }

Those who voted in the affirmative, were

Allen	Curran	Holahan	C. C. Peck
Baker	Day	Keegan	Piper
Bathe	Floyd-Jones	Langner	Purdy
Bergen	Foster	Loveland	Roberts
Berrigan	Galvin	Mapes	Searing
Brooks	Grady	McDonough	Seebacher
Browning	Hamilton	Moller	Shanley
J. Clark	Havens	Pattengill	Townsley
Cormack	Henry	Patterson	Wemple

Those who voted in the negative, were

Abbott	Fish	S. V. R. Miller	Skinner
Alvord	Fitzgerald	Mooers	Speaker
Andrews	Gilbert	North	Strack
Astor	I. I. Hayes	Noyes	Sutherland
Beard	J. Hayes	Palmer	E. Taylor
Berry	Hepburn	D. C. Peck	Terry
Brundage	Hobbie	Pool	Valentine
Case	Holbrook	Prescott	Wadsworth
Chappell	Hoyt	Reynolds	Waring
Chase	Hurd	Rowland	Wheeler
Clapp	Jones	Sawyer	Wilbor
J. M. Clark	King	Sewell	Williams
Crandall	Lowing	Sheard	Worth
Daly	Mekeel	Sheldon	

When the name of Mr. Matteson was called, he stated that he had paired with Mr. Cosad.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Galvin moved that when this House adjourns, it be to meet on Monday evening, at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Worth, at 1 o'clock and 30 minutes, the House adjourned.

MONDAY, FEBRUARY 4, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of Friday, February 1, was read and approved.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows :

"An act to release the interest of the people of the State of New York in certain real estate in Flushing, Queens county, to Elijah Rontas."

"An act to legalize and confirm the official acts of James Monroe, a justice of the peace of the town of Worth, in the county of Jefferson."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the resolutions in the words following:

Resolved (if the Assembly concur), That 5,000 extra copies of the report of the State Assessors be printed for distribution among the supervisors and assessors of the various towns and cities of the State; said copies shall be distributed by the Secretary of State, so that each supervisor and assessor shall receive one copy of said report.

Resolved (if the Assembly concur), That 2,000 extra copies be printed for the use of the Legislature, and 1,000 copies for the use of the State Assessors; provided that the cost of printing the same does not exceed ten cents per page, per 100 copies.

Resolved (if the Assembly concur), That there be printed for the use of the board 1,500 extra copies of the eleventh annual report of the State Board of Charities; 1,000 copies in paper covers, and 500 copies bound in muslin; provided the cost of printing the same does not exceed ten cents per page per 100 copies.

Resolved (if the Assembly concur), That 500 copies of the report of the Commissioners to revise the Statutes be printed for the use of the Commissioners; provided the cost of printing the same does not exceed ten cents per page per 100 copies.

Ordered, That said resolutions be referred to the committee on public printing.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act in relation to field books, surveys, maps, official papers and records, in the office of the State Engineer and Surveyor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 102 of the Laws of 1872, entitled 'An act to incorporate the Onondaga County Milk Association,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to legalize the official acts of the First Congregational Society of the city of Schenectady, and the official acts of the trustees of the said society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to change the name of the American Encaustic Tiling Company in the certificate for the incorporation of said company and the license issued thereunder," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

The Senate returned the bill entitled "An act to amend chapter 166 of the Laws of 1877, entitled 'An act to amend chapter 435 of the Laws of 1868, entitled An act to incorporate the village of Hamilton, in the county of Madison, and repeal its present charter, and to repeal chapter 250 of the Laws of 1870, chapter 18 of the Laws of 1874, and chapter 142 of the Laws of 1875,' with a message informing that they had passed the same, with the following amendment:

Section 1, line 6, after the word "charter," insert "amended by chapter 166 of the Laws of 1877."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 81 }
} NOES 00 }

Those who voted in the affirmative, were

Abbott	Fish	Kellogg	Proper
Allen	Floyd-Jones	Kern	Reynolds
Alvord	Flynn	King	Roberts
Astor	Foster	Mattison	Rowland
Baker	Galvin	S. V. R. Miller	Searing
Bergen	Gilbert	Moller	Seebacher
Berrigan	Grady	Mooers	Sewell
Berry	Griggs	Meyenborg	Shanley
Brundage	Halliday	Nelson	Sheard
Burns	Hamilton	Noyes	Sheldon
Case	I. I. Hayes	Palmer	Skinner
Chappell	Henry	Parker	E. Taylor
Chase	Hepburn	Pattengill	Terry
Clapp	Hobbie	Patterson	Thomson
J. Clark	Holahan	C. C. Peck	Townsley
Converse	Holbrook	D. C. Peck	Valentine
Cormack	Hoyt	Peek	Wadsworth
Cosad	Hulme	Piper	Wilbor
Crandall	Jones	Pool	Williams
Deyoe	Keegan	Prescott	Willis
Douglass			

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

The Speaker presented the report of the Inebriates' Home for Kings county, for year 1877; which was laid on the table and ordered printed.

(See Doc. No. 46.)

Mr. Proper introduced a bill entitled "An act to amend an act entitled 'An act in relation to town insurance companies,' passed April 27, 1866,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Bergen introduced a bill entitled "An act to provide for a police commission in the town of New Lots, Kings county, and to establish a police force therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act authorizing the town of New Lots, in the county of Kings, to issue bonds to the amount of ten thousand dollars to refund or pay a like amount of bonds issued by said town for the erection of a town house, in pursuance of chapter 281 of the Laws of 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Berrigan introduced a bill entitled "An act to regulate the sale of ale, beer, lager beer and other fermented liquors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Alvord introduced a bill entitled "An act to abolish the office of division, resident and assistant engineer on the canals of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, a bill entitled "An act to amend part 1, title 5, chapter 5, section 7 of the Revised Statutes, in relation to the appointment of collectors of canal tolls, and to abolish the office of weighmaster," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Cosad introduced a bill entitled "An act to terminate the publication of the Colonial History of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Neilson introduced a bill entitled "An act to amend an act entitled 'An act authorizing the trustees of the village of Ballston Spa to issue bonds, to be known as Extended Water Bonds, to pay a portion of the water bonds now outstanding of said village, maturing in the year 1877, and thereafter, being chapter 100 of the Laws of 1877,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Halliday introduced a bill entitled "An act to regulate the use of prescriptions of the medical profession in the State of New York," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on public health.

Mr. Moller introduced a bill entitled "An act to legalize and confirm the official acts of George E. Van Derburgh, a justice of the peace of the town of Mamaroneck, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Keegan introduced a bill entitled "An act for the improvement of the navigation of Freeport creek, in the town of Hempstead, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Clapp, Int. No. 173, entitled "An act to

amend chapter 344 of the Laws of 1877, entitled 'An act to authorize railroad corporations to pay commutation money for highway labor to the commissioners of highways of towns,' reported adversely thereto (the committee on internal affairs having reported favorably on a similar bill), which report was agreed to.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Prescott, Int. No. 8, entitled "An act to amend chapter 344, Laws of 1877, entitled 'An act to authorize railroad corporations to pay commutation money for highway labor to commissioners of highways of towns,'" reported adversely thereto (the committee on internal affairs having reported favorably on a similar bill), which report was agreed to.

Messrs. Browning, Seebacher, Baker, Berrigan, Fitzgerald, Astor, Kern, Crandall, Shanley, Strack, Grady, Berry, Parker, Converse, Griggs, Burns, Alvord, Piper, Clark, Holahan, Proper and Moller presented petitions in favor of a modification of the excise laws; which were read and referred to the committee on internal affairs.

Messrs. Allen, Thomson, Sheldon, Bergen, Prescott, Abbott, Terry, Williams, Holbrook, Cosad and Matteson presented petitions against a modification of excise laws; which were read and referred to the committee on internal affairs.

Mr. Baker presented a petition of the New York Catholic Protectory, for an appropriation; which was read and referred to the committee on ways and means.

Mr. Floyd-Jones presented a petition of inhabitants of Suffolk county, in relation to extending the powers of supervisors and other town officers in relation to roads and bridges; which was read and referred to the committee on general laws.

Mr. I. I. Hayes offered for the consideration of the House resolutions, in the words following:

Resolved (if the Senate concur), That section 3 of article 7 of the Constitution be amended so as to read as follows:

§ 3. The first and second sections of this article having been fully complied with, no tolls shall hereafter be imposed on persons and property transported on the State canals, but all boats navigating the canals, and the owners and masters thereof, shall be subject to such laws and regulations as have been or may hereafter be enacted concerning the navigation of the canals.

The Legislature shall annually, by equitable taxes, make provision for the expenses of the superintendence and repairs of the canals.

The canal debt contracted under the section hereby amended, which on the first day of October, 1877, amounted to \$9,014,200, shall continue to be known as the "canal debt under article 7, section 3 of the Constitution," and the sinking fund applicable to the payment thereof, together with the contributions to be made thereto, shall continue to be known as the "Canal Debt Sinking Fund, under article 7, section 3 of the Constitution;" and the principal and interest of said debt shall be met as provided in the fifth section of this article.

All contracts for work or materials on any canal shall be made with the person who shall offer to do, or provide the same at the lowest price, with adequate security for their performance.

No extra compensation shall be made to any contractor, but if from any unforeseen cause, the terms of any contract shall prove to be unjust

and oppressive, the Canal Board may, upon the application of the contractor, cancel such contract.

Resolved (if the Senate concur), That section 5 of article 7 of the Constitution be amended so as to read as follows :

§ 5. There shall annually be imposed and levied a tax, which shall be sufficient to pay the interest and extinguish the principal of the canal debt mentioned in the third section of this article, as the same shall become due and payable, and the proceeds of such tax shall in each fiscal year be appropriated and set apart for the sinking fund constituted for the payment of the principal and the interest of the aforesaid debt.

But the Legislature may, in its discretion, impose for the fiscal year beginning on the first day of October, 1881, a State tax on each dollar of the valuation of the real and personal property in this State, subject to taxation for that year, sufficient, with the accumulations of the sinking fund applicable thereto, to pay in full both the principal and interest of the canal debt before mentioned, and the proceeds of such tax shall be appropriated and set apart for the sinking fund constituted for the payment of the principal and the interest of said debt. In the event of such action by the Legislature, then the Legislature shall, in the law directing the levying and assessment of such tax, make such provision for the retirement of the canal debt as it shall deem equitable and just to the creditors of the State.

Resolved (if the Senate concur), That section 6 of article 7 of the Constitution be amended so as to read as follows :

§ 6. The Legislature shall not sell, lease or otherwise dispose of the Erie canal, the Oswego canal, the Champlain canal, or the Cayuga and Seneca canal, but they shall remain the property of the State, and under its management forever.

All funds that may be derived from any lease, sale or other disposition of any canal shall be applied in payment of the canal debt mentioned in the third section of this article.

Resolved (if the Senate concur), That the foregoing amendments be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity with section 1 of article 13 of the Constitution, they be published for three months previous to the time of such election.

Said resolutions being concurrent,

Ordered, That the same be laid on the table.

On motion of Mr. I. I. Hayes, and by unanimous consent, said resolutions were ordered printed, and to be placed on the files of members.

The order of business, "general orders," being announced,

The House resolved itself into a committee of the whole on the bills entitled as follows :

Senate, "An act to authorize the board of education of Fairport union free school, district No. 9, of the town of Perinton, Monroe county, to issue coupon bonds to replace the moneys lost by the district, through the defalcation of its treasurer."

"An act to incorporate Albion Lodge, No. 67, Ancient Order of United Workmen."

"An act granting free passage through toll-gates and over toll-bridges and ferries to the National Guard."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Piper, from said committee, reported progress on said first and second mentioned bills, and asked and obtained leave to sit again.

Mr. Alvord moved to recommit said second mentioned bill to the committee on charitable and religious societies, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Piper, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend article 3 of title 3 of chapter 6 of part 2 of the Revised Statutes, 'Of the duties of executors and administrators in rendering an account and in making distribution to the next of kin.'"

"An act to amend an act entitled 'An act to authorize the appointment of a librarian to take charge of the law library, in the Fifth judicial district, located in Utica,' passed April 5, 1877, chapter 94."

"An act to amend section 8, chapter 399 of the Laws of 1860, entitled 'An act to amend the several acts in relation to State prisons.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Skinner, from said committee, reported in favor of the passage of said first, second and third mentioned bills, the third mentioned bill, with amendments; which report was agreed to, and said bills ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act to amend section 473 of the Code of Civil Procedure."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Williams, from said committee, reported in favor of the passage of said bill; which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Alvord, at 9 o'clock and 20 minutes, the House adjourned.

TUESDAY, FEBRUARY 5, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Son.

The journal of yesterday was read and approved.

Mr. Speaker announced the special order of the day being the resolutions in the words following:

Resolved (if the Senate concur), That the Legislature do concur in the recommendation of the Canal Board of the date of January 22, 1878, and assent to the adoption of the toll sheet of 1877, by said Board, for the year 1878, as expressed in the following resolution of the Canal Board.

Resolved, That the Canal Board recommend to the Legislature to concur in the rates of toll upon the Erie, Oswego, Champlain, and Cayuga and Seneca canals, as stated in the accompanying toll sheet for the year 1878.

Resolved, That it is expedient to place the article of flour upon the free list, the amount of tolls received through the canal season of 1877, being but \$903 for all the flour passed over the canal.

The House then resolved itself into a committee of the whole on the resolutions entitled as follows:

Concurrent resolutions relative to the rates of toll for the year 1878 on the Erie, Champlain, Oswego, Cayuga and Seneca canals.

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Alvord, from said committee, reported in favor of the passage of the same, with amendments, in the words following:

Resolved (if the Senate concur), That the Legislature do concur in the recommendations of the Canal Board of the date of January 22, 1878, and assent to the adoption of the toll sheet of 1877, by said board, for the year 1878, as expressed in the following resolution of the Canal Board:

Resolved, That the Canal Board recommend to the Legislature to concur in the rates of toll upon the Erie, Oswego, Champlain and Cayuga and Seneca canals, as stated in the accompanying toll-sheet, for the year 1878."

RATES OF TOLL — 1877.

ESTABLISHED BY THE CANAL BOARD ON PERSONS AND PROPERTY TRANSPORTED ON THE ERIE, CHAMPLAIN, OSWEGO AND THE CAYUGA AND SENECA CANALS, TO TAKE EFFECT ON THE ELEVENTH OF MAY.

Toll is to be computed upon the Weight ("1,000 pounds per mile") of all articles contained in the following list, unless otherwise stated, opposite to the articles excepted.

A.

	c. m. fr.
Acid, sulphuric.....	0 1 0
Agricultural implements, going from tide water	0 1 0
Articles not enumerated, going toward tide water.....	0 1 5
On the same, going from tide water.....	0 1 0
Agricultural productions of the United States, not particularly specified	0 1 5
Apples	0 1 0
Ashes, pot and pearl	0 1 5
Ashes, leached.....	0 0 5

B.

Barley	0 0 5
Barrels, empty, transported in boats.....	0 1 0
Barrels, empty, transported in rafts.....	0 5 0
Barytes.....	0 1 5
Beans	0 0 5
Bedstead stuff (see Lumber No. 3).....	0 0 7½
Bleaching powders, going from tide water	0 0 5
Boat knees (see Lumber No. 3).....	0 0 7½
Bolts, stave, if carried in boats.....	0 0 5
Bolts, stave, if carried in rafts.....	0 5 0
Bones	0 0 5
Boxes, stuff for (see Lumber No. 3).....	0 0 7½
Bran	0 1 0
Brick of every description	0 0 5
Brimstone	0 1 0
Broom handles (see Lumber No. 3)	0 0 7½
Brush backs (see Lumber No. 3).....	0 0 7½

	c. m. fr.
Brush handles (see Lumber No. 3).....	0 0 7 $\frac{1}{2}$
Butter.....	0 1 5
Butts, stave, if carried in boats.....	0 0 5
Butts, stave, if carried in rafts.....	0 5 0

C.

Cabinet ware.....	0 1 5
Carboys.....	0 1 5
Carts.....	0 1 5
Car axles.....	0 1 0
Car axles, when cleared at tide water.....	0 0 5
Car wheels (iron).....	0 0 5
Carriages and sleighs.....	0 1 5
Casks, empty, transported in boats.....	0 1 0
Casks, empty, transported in rafts.....	0 5 0
Castings, all iron castings.....	0 1 0
Cedar posts (see Lumber No. 2), per 1,000 feet, per mile.....	0 1 5
Cedar, red (see Lumber No. 2), per 1,000 feet, per mile.....	0 1 5
Cement, fire proof.....	0 1 0
Chair stuff (see Lumber No. 3).....	0 0 7 $\frac{1}{2}$
Charcoal.....	0 0 5
Cheese.....	0 1 0
Cider.....	0 1 0
Clay.....	0 0 5
Coal, anthracite.....	0 0 2 $\frac{1}{2}$
Coal, bituminous.....	0 0 2 $\frac{1}{2}$
Coal oil.....	0 0 5
Coal tar, and products thereof.....	0 0 5
Copper ore.....	0 0 5
Copper, pig and smelted.....	0 0 5
Corn.....	0 0 5
Crockery.....	0 0 5
Cullet, or broken glass to be melted over.....	0 0 5

E.

Earth.....	0 0 5
Esulent roots.....	0 1 0

F.

Fellies (see Lumber No. 3).....	0 0 7 $\frac{1}{2}$
Fire-proof cement.....	0 1 0
Fire brick.....	0 0 5
Fish, salted, going from tide water.....	0 0 5
Flax seed.....	0 1 5
Flour.....	0 0 5
Furniture, cabinet ware and chairs.....	0 1 5
Furniture for stoves, not cast iron.....	0 1 5

G.

Gas pipes.....	0 0 5
Glass ware.....	0 1 0
Grease.....	0 1 5

	c. m. fr.
Gunstocks (see Lumber No. 3)	0 0 7 $\frac{1}{2}$
Gypsum, ground and unground	0 1 0
Gypsum, unground product of this State	0 0 5

H.

Hand spikes (see Lumber No. 3)	0 0 7 $\frac{1}{2}$
Hay pressed	0 0 5
Heading undressed, transported in boats	0 0 5
Heading, dressed or partly dressed	0 0 5
Heading, transported in rafts	0 5 0
Hides	0 1 5
Hop poles (see Lumber No. 3)	0 0 7 $\frac{1}{2}$
Hop poles, transported in rafts	0 5 0
Hoop poles (see Lumber No. 3)	0 0 7 $\frac{1}{2}$
Hoop poles, transported in rafts	0 5 0
Hoops, rived	0 1 0
Horses	0 3 0
Horses, used exclusively for towing boats and other floats exempt from toll	0 0 0
Horse shoes	0 0 5
Hubs (see Lumber No. 3)	0 0 7 $\frac{1}{2}$

I.

Ice	0 0 5
Iron, articles exclusively manufactured of wrought or rolled iron not specifically enumerated, when cleared at tide-water	0 0 5
Iron in sheets, bars and bundles	0 1 0
Iron and steel, in bars and bundles, when cleared at tide-water,	0 0 5
Iron ore	0 0 2 $\frac{1}{2}$
Iron, bloom and pig	0 0 5
Iron, boiler, when cleared at tide-water	0 0 5
Iron, boiler	0 1 0
Iron, bridge and railing	0 1 0
On the same, when cleared at tide-water	0 0 5
Iron bolts	0 1 0
On the same, when cleared at tide-water	0 0 5
Iron safes	0 1 0

J.

Junk	0 1 0
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L.

Last blocks (see Lumber No. 3)	0 0 7 $\frac{1}{2}$
Lath (see Lumber No. 1)	0 0 7 $\frac{1}{2}$
Lath (see Lumber No. 2), per 1,000 feet, per mile, estimated at twenty feet for each bunch of one hundred pieces	0 1 5
Lath (see Lumber No. 3)	0 0 7 $\frac{1}{2}$
Lime, manufactured	0 1 0
Lime, water	0 1 0
Limestone	0 0 5
Looking-glass backs (see Lumber No. 3)	0 0 7 $\frac{1}{2}$

LUMBER No. 1.*—Transported in boats, by weight, per 1,000 pounds, per mile :

White pine, white wood, bass-wood, cedar, boards, planks, scantling, and on all sidings, lath and other sawed stuff less than one inch thick (except such as is enumerated in Lumber No. 3)	0 0 7½
Oak, hickory, beach, sycamore, black walnut, butternut, maple, ash, elm, fir, tamarack, yew and cherry	0 0 5
Hemlock and spruce	0 0 3½

LUMBER No. 2.*—Transported in boats by measurement, per 1,000 feet, per mile :

Boards, plank, scantling, railroad ties, pickets for fences, and sawed timber, siding, lath and other sawed stuff, less than one inch thick, reduced to inch measure (except such as is enumerated in Lumber No. 3); lath, when cleared by measurement, may be estimated at twenty feet for each bunch of 100 pieces; and all kinds of red cedar, cedar posts, estimated that a cord, after deducting for openings, will contain 1,000 feet	0 1 5
Hemlock and spruce, per 1,000 feet, per mile, when not weighed	0 1 0
Lumber No. 2, transported in rafts, per 1,000 feet, per mile,	1 2 5

LUMBER No. 3.*—Transported in boats, by weight, per 1,000 pounds per mile :

Sawed lath of less than ten feet in length, split lath, hoop poles, hand spikes, rowing oars, broom handles, spokes, hubs, treenails, fellies, boat and ship knees, plane stocks, pickets for fences, railroad ties, last blocks, stuff (manufactured or partly manufactured) for boxes, chairs and bedsteads, hop poles, brush handles, brush backs, looking-glass backs, gun stocks, plow beams and plow handles	0 0 7½
Sawed stuff for window blinds, not exceeding one-fourth of an inch in thickness	0 2 0

M.

Mahogany	0 1 0
Malt	0 0 5
Manure	0 0 5
Marl	0 0 5
Merchandise, non-enumerated	0 1 0
Molasses	0 0 5

N.

Nails	0 0 5
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* LUMBER shall not be cleared by measurement when carried in a boat having other articles on board paying toll by weight, but such lumber shall in all cases be also cleared by weight.

When a cargo is composed entirely of lumber, which can be cleared by weight or measure, the whole of such cargo shall be cleared by measurement or by weight, as the shipper or master may elect, and in no case shall a portion of any such cargo be cleared by measurement and the other portion by weight.

O.

	c. m. fr.
Oats	0 0 5
Oil cake	0 1 0
Oil meal	0 1 0
Onions	0 1 0

P.

Passengers over ten years of age, per mile	0 0 5
Petroleum or earth oil, crude and refined	0 0 5
Peas	0 0 5
Peat	0 0 5
Pickets for fences (see Lumber Nos. 2 and 3)	
Pig copper	0 1 0
Pig iron	0 0 5
Plane stocks (see Lumber No. 3)	0 0 7 $\frac{1}{2}$
Plaster, calcined, or plaster of Paris, going from tide-water ..	0 0 5
Plow beams (see Lumber No. 3)	0 0 7 $\frac{1}{2}$
Plow handles (see Lumber No. 3)	0 0 7 $\frac{1}{2}$
Posts, split and round, not exceeding eight feet in length, carried in boats, per M., per mile	1 5 0
Potatoes	0 1 0
Powder and gunpowder	0 4 0

R.

Rags	0 1 5
Railroad chairs	0 1 0
On the same, when cleared at tide-water	0 0 5
Railroad iron	0 0 5
Railroad ties (see Lumber Nos. 2 and 3)	
Rails for fences, not exceeding fourteen feet in length, carried in boats, per M., per mile	1 5 0
On the same, if carried in rafts, per M., per mile	8 0 0
Rice, going from tide-water	0 1 0
Roots, esculent	0 1 0
Rowing oars (see Lumber No. 3)	0 0 7 $\frac{1}{2}$
Rye	0 0 5

S.

Sal soda, going from tide-water	0 0 5
Salted fish, going from tide-water	0 0 5
Salt, foreign	0 2 5
Salt, manufactured in this State	0 0 5
Sand	0 0 5
Sawed stuff (see Lumber Nos. 2 and 3)	
Sawdust	0 0 5
Scrap iron	0 0 5
Shingles, in boats, per 1,000 pounds, per mile	0 1 0
Shingles, in boats, per M., per mile	0 0 5
Shingles, per M., per mile, in rafts	0 4 0
Ship knees	0 1 5
Ship knees, transported in rafts	0 5 0
Ship stuffs	0 1 0
Shooks, stave	0 0 5

	c. m. fr.
Shrubby and trees	0 3 0
Siding (see Lumber No. 1)	0 0 7½
Siding (see Lumber No. 2), per 1,000 feet surface measure	0 1 5
Slate	0 0 5
Sleighs	0 1 5
Soda ash	0 0 5
Spikes	0 0 5
Split posts and round, not exceeding eight feet in length, carried in boats, per M., per mile	1 5 0
On the same, if carried in rafts, per M., per mile	8 0 0
Spokes (see Lumber No. 3)	0 0 7½
Staves and heading, sawed, cut and dressed, or partly dressed, shooks and stave bolts and butts, not exceeding four feet and a half in length, transported in boats.	0 0 5
On the same, if transported in rafts	0 5 0
Steel, in bars and bundles	0 1 0
On the same when cleared at tide-water	0 0 5
Stone for the manufacture of lime	0 0 5
Stone, wrought	0 0 5
Stone, unwrought and partly wrought	0 0 5
Stoves	0 1 0
Straw, pressed, and any pressed vegetable substance used for the manufacture of paper or paper pulp	0 0 5
Sugar	0 0 5

T.

Tan bark, per cord, per mile, carried in boats	0 5 0
Tan bark, per cord, per mile, carried in rafts	2 0 0
Tan bark, ground, per 1,000 pounds, per mile	0 2 5
Tar	0 1 0
TIMBER per 100 cubic feet, per mile, transported in boats :	
Squared and round, other than hemlock	0 5 0
Squared and round, hemlock	0 3 0
Squared and round, transported in rafts	1 0 0
Sawed timber (see <i>Lumber No. 2</i>) per 1,000 feet, per mile,	0 1 5
Tin plate, going from tide-water	0 0 5
Tobacco, going from tide-water	0 1 0
Treenails (see <i>Lumber No. 3</i>)	0 0 7½
Trees and shrubbery	0 3 0
Turnips	0 1 0
Turpentine	0 1 0

V.

Varnish	0 1 0
Vinegar	0 1 0

W.

Wagons	0 1 5
Water lime	0 1 0
Water pipes	0 0 5
Wheat	0 0 5
Window blinds, sawed stuff for (<i>See Lumber No. 3</i>)	0 2 0
Window sashes	0 4 0

	c. m. fr.
Wood for fuel, per cord, per mile	0 4 0
Wood for fuel, per cord, per mile, carried on rafts.....	2 0 0
Wood used in the manufacture of salt, per cord, per mile.....	0 5 0

FREE LIST.

Bacon.	Domestic cottons.	Lard.
Beef salted.	Domestic woolens.	Lard oil.
Boats.	Dried rfruit.	Lead, bar and pig.
Cattle, alive.	Furs, and skins of ani-	Leather.
Clover seed.	mals producing furs.	Pork, salted.
Coffee.	Grass seed.	Sheep, alive.
Corn meal.	Hemp.	Tallow.
Cotton.	Hogs alive.	Tobacco, manufactured.
Domestic dist'd spirits.	Hops.	Wool.

All up freight, except foreign salt, reduced fifty per cent below the rates of 1876.

STATE OF NEW YORK,
CANAL DEPARTMENT,
ALBANY, May 10, 1877. }

I certify the foregoing to be a correct list of the rates of toll established by the Canal Board, to take effect on the eleventh May.

G. W. SCHUYLER,
Auditor.

Resolved (if the Senate concur), That the Legislature do consent to the placing of the articles of flour, leached ashes and petroleum on the free list, passing over the canals of this State.

Resolved (if the Senate concur), That the Legislature do consent to the reduction of tolls on manufactured lime, not exceeding fifty per cent of the rates of 1876 and 1877, as the Canal Board shall, in its discretion, think expedient, and as the exigencies of trade shall demand during the ensuing season of navigation.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 23 }

Those who voted in the affirmative, were

Abbott	Crowley	Hurd	Purdy
Allen	Curran	Keegan	Roberts
Alvord	Daly	Kellogg	Rowland
Andrews	Day	Kern	Searing
Astor	Douglass	King	Seebacher
Baker	Fish	Langner	Shanley
Bathe	Fitzgerald	Loveland	Sheard
Bergen	Floyd-Jones	Mapes	Sheldon
Berrigan	Flynn	McDonough	Skinner
Berry	Foster	Moller	Speaker
Brooks	Frank	Mooers	Story
Browning	Galvin	Myenborg	Strack

Brundage	Grady	Nelson	Terry
Burns	Halliday	North	Thain
Case	Hamilton	Noyes	Thomson
Chappell	Havens	Parker	Townsley
Chase	I. I. Hayes	Pattengill	Valentine
Clancy	Henry	Patterson	Wadsworth
Clapp	Hepburn	C. C. Peck	Waring
J. Clark	Hobbie	D. C. Peck	Wemple
Converse	Holahan	Piper	Wheeler
Crandall	Hoyt	Pool	Wilbor
Crawford	Hulme	Prescott	Willis

Those who voted in the negative, were

Beard	Holbrook	S. V. R. Miller	Sewell
Cormack	Jones	Palmer	E. Taylor
Cosad	Keator	Peek	Willers
Deyoe	Lowing	Proper	Williams
Gilbert	Mattison	Reynolds	Winch
Griggs	J. H. Miller	Sawyer	

Ordered, That the Clerk deliver said resolutions to the Senate and request their concurrence therein.

This being the day assigned under the rules for the consideration of general orders, Mr. Speaker announced the order of business, "general orders."

In connection with said order of business, Mr. D. C. Peck offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of bill No. 24, entitled 'An act in relation to noxious weeds and brush in public highways,' and that the same be ordered to a third reading, retaining the amendment adopted in committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to coroners' fees, their term of office and post-mortem examinations in Albany county."

Senate, "An act to authorize the board of education of Fairport union free school, district No. 9, of the town of Perinton, Monroe county, to issue coupon bonds to replace the moneys lost by the district, through the defalcation of its treasurer."

"An act authorizing the appointment of a person to perform clerical duties, etc., in the Supreme Court in Kings county."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Holahan, from said committee, reported in favor of the passage of said first and third mentioned bills, the third mentioned with amendments; which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Holahan, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

On motion of Mr. Bergen, and by unanimous consent, the bill entitled "An act authorizing the appointment of a person to perform clerical services, etc., in the Supreme Court in Kings county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Douglass	Kellogg	Reynolds
Allen	Fish	Kern	Roberts
Alvord	Fitzgerald	King	Rowland
Andrews	Floyd-Jones	Langner	Sawyer
Bathe	Flynn	Lowing	Searing
Beard	Foster	Mapes	Sewell
Bergen	Galvin	Mattison	Shanley
Berrigan	Gilbert	S. V. R. Miller	Sheard
Berry	Grady	Moller	Sheldon
Brooks	Griggs	Mooers	Skinner
Browning	Halliday	Meyenborg	Sliter
Brundage	Hamilton	Nelson	Strack
Case	Havens	Noyes	E. Taylor
Chappell	I. I. Hayes	Palmer	Terry
Chase	Henry	Pattengill	Thain
Clancy	Hepburn	Patterson	Thomson
Clapp	Holahan	C. C. Peck	Townsend
J. Clark	Holbrook	Peek	Valentine
Crandall	Hoyt	Piper	Wadsworth
Crawford	Hurd	Pool	Waring
Crowley	Jones	Prescott	Wemple
Curran	Keator	Proper	Wheeler
Daly	Keegan	Purdy	Wilbor
Deyoe			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 344 of the Laws of 1877, entitled 'An act to authorize railroad corporations to pay commutation money for highway labor, to the commissioners of highways of towns.'"

"An act to establish the bulk-head and pier lines of the harbor of New York on the Staten Island side."

"An act to provide means for the ordinary repairs of the canals for the calendar year of 1878, in case the revenues shall be insufficient to meet the appropriations for that purpose."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Floyd-Jones, from said committee, reported in favor of the passage of said first, second and third mentioned bills, with amendments, which report was agreed to, and said bills ordered engrossed for a third reading.

On motion of Mr. Brooks, and by unanimous consent, said second mentioned bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Allen	Fish	Loveland	Rowland
Alvord	Fitzgerald	Lowing	Sawyer
Andrews	Floyd-Jones	Mattison	Searing
Beard	Flynn	McDonough	Sewell
Bergen	Grady	J. H. Miller	Sheard
Berrigan	Griggs	S. V. R. Miller	Sheldon
Berry	Halliday	Moller	Skinner
Brooks	Hamilton	Mooers	Story
Browning	Havens	Meyenborg	Strack
Brundage	I. I. Hayes	Neilson	E. Taylor
Case	Hobbie	North	Terry
Chappell	Holahan	Noyes	Thain
Chase	Holbrook	Palmer	Thomson
Clancy	Hoyt	Parker	Townsend
Clapp	Hulme	Pattengill	Wadsworth
J. Clark	Hurd	D. C. Peck	Waring
Converse	Jones	Peek	Wemple
Cormack	Keator	Piper	Wheeler
Cosad	Keegan	Pool	Wilbor
Crandall	Kellogg	Prescott	Williams
Curran	Kern	Proper	Willis
Daly	King	Reynolds	Winch
Deyoe	Langner	Roberts	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Skinner called from the table the report of the committee on public printing, in the words following :

Resolved (if the Senate concur), that there be printed as follows:

Twenty-five hundred extra copies of the annual report of the Comptroller, for 1878, to be bound in paper covers, for the use of the Legislature, to be distributed under the direction of the Comptroller.

Two thousand extra copies of the Adjutant-General's report, to be bound in cloth; 1,500 copies for the use of the Adjutant-General's department and 500 copies for the use of the Legislature, to be distributed under the direction of the Adjutant-General.

One thousand extra copies of the annual report of the Superintendent of State Prisons, to be bound in paper covers, for the use of the Superintendent.

Five hundred extra copies of the report of the Trustees of the New York Asylum for Idiots, to be bound in paper covers, for the use of the trustees.

One thousand extra copies of the report of the State Engineer and Surveyor on Canals, for the use of that officer, five hundred copies to be bound in cloth, and five hundred copies in paper covers.

Fifteen hundred extra copies of the annual report of the Institution for the Instruction of the Deaf and Dumb, to be bound in paper covers for the use of that institution.

One thousand extra copies of the annual report of the Western New

York Institution for Deaf Mutes, to be bound in paper covers, for the use of that institution.

Five hundred extra copies of the annual report of the Superintendent of the Onondaga Salt Springs, to be bound in paper covers, for the use of said superintendent.

One thousand extra copies of the report of the Trustees of the Willard Asylum for the Insane, at Ovid, to be bound in paper covers, for the use of said asylum.

One thousand extra copies of the report of the State Homœopathic Asylum for the Insane, at Middletown, to be bound in paper covers, for the use of the trustees of said asylum.

Five hundred extra copies of the annual financial report of the Auditor of the Canal Department for the fiscal year ending Sept. 30, 1877, to be bound in paper covers, for the use of said officer; provided, in each and every case, the cost of printing of the extra documents named in this resolution shall not exceed ten cents per page per one hundred copies.

Also, the following:

Resolved (if the Senate concur), that the clerks of the two houses furnish each Senator and Member of the present Legislature, the Senate and Assembly and State Libraries, with three copies each, and the elective officers of the Senate and Assembly, and the reporters of both houses, with one copy each of the New York Civil List, the same to be brought down to include all officers of the National and State Governments, to and including the year 1878, providing that the cost thereof shall not exceed two dollars per copy.

Mr. Brooks called for a division of the question, taking the vote separately on the last resolution.

Mr. Speaker put the question whether the House would agree to so much of said report (excepting that portion on which a division was called), and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 3 }

Those who voted in the affirmative, were

Allen	Fitzgerald	Mattison	Sawyer
Alvord	Gilbert	McDonough	Shanley
Bergen	Griggs	J. H. Miller	Sheard
Berrigan	Halliday	S. V. R. Miller	Skinner
Berry	Hamilton	Mooers	Story
Browning	I. I. Hayes	Meyenborg	Strack
Brundage	Henry	Neilson	E. Taylor
Chappell	Hepburn	North	Terry
Chase	Hobbie	Noyes	Thain
Clancy	Holahan	Palmer	Thomson
Clapp	Holbrook	Pattengill	Townsley
J. Clark	Hoyt	Patterson	Wadsworth
Converse	Hulme	C. C. Peck	Waring
Cormack	Hurd	D. C. Peck	Wheeler
Crandall	Jones	Peck	Wilbor
Crawford	Keegan	Piper	Willers
Crowley	Kellogg	Prescott	Williams
Curran	Kern	Reynolds	Willis

Day	Langner	Roberts	Winch
Fish	Loveland	Rowland	

Those who voted in the negative, were

Grady	Moller	Pool
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Mr. Speaker put the question whether the House would agree to so much of said report as relates to the Civil List, in the words following: "*Resolved* (if the Senate concur), That the Clerks of the two Houses furnish each Senator and member of the present Legislature, the Senate and Assembly and State libraries, with three copies each; and the elective officers of the Senate and Assembly, and the reporters of both Houses, with one copy each of the New York Civil List, the same to be brought down to include all officers of the National and State governments, to and including the year 1878, providing that the cost thereof shall not exceed two dollars per copy;" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 79 }
 } NOES 30 }

Those who voted in the affirmative, were

Abbott	Floyd-Jones	Lowing	Searing
Alvord	Flynn	Mattison	Seebacher
Bathe	Frank	McDonough	Sewell
Bergen	Gilbert	J. H. Miller	Shanley
Berrigan	Griggs	S. V. R. Miller	Sheard
Berry	Halliday	Moller	Sheldon
Browning	Hamilton	Mooers	Skinner
Burns	Havens	Meyenborg	Story
Case	I. I. Hayes	North	Strack
Chappell	Henry	Noyes	E. Taylor
Clancy	Hepburn	Palmer	Thomson
Clapp	Holahan	Parker	Valentine
J. Clark	Holbrook	Patterson	Wadsworth
Converse	Hoyt	C. C. Peck	Waring
Crandall	Hulme	D. C. Peck	Wemple
Curran	Hurd	Peck	Wheeler
Daly	Jones	Piper	Wilbor
Deyoe	Keegan	Roberts	Williams
Fish	Kellogg	Rowland	Willis
Fitzgerald	Kern	Sawyer	

Those who voted in the negative, were

Allen	Crawford	Loveland	Proper
Andrews	Crowley	Mapes	Reynolds
Beard	Day	Neilson	Terry
Brooks	Grady	Nelson	Thain
Brundage	Hobbie	Pattengill	Townsley
Chase	Keator	Pool	Willers
Cormack	King	Prescott	Winch
Cosad	Langner		

Ordered, That the Clerk deliver said resolutions to the Senate, and request their concurrence therein.

Mr. Moller moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act to amend an act entitled 'An act for the better security of mechanics and others, erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' passed April 17, 1854, as amended by chapter 458 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of this State, except the counties of Erie, Kings, Queens, New York and Onondaga, and as further amended by chapter 489 of the Laws of 1873, and by chapter 551 of the Laws of 1874, and by chapter 233 of the Laws of 1875.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Alvord, from said committee, reported in favor of the passage of said bill, and the same was ordered engrossed for a third reading.

Mr. Day introduced a bill entitled "An act releasing the interest of the people of the State of New York in certain real estate to Christian Spiess," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the petitions of aliens.

Also, a petition on the same subject; which was read and referred to the same committee.

Also, a bill entitled "An act to amend an act entitled 'An act to amend chapter 430 of the Laws of 1874, entitled 'An act to facilitate the reorganization of railroads sold under mortgage, and providing for the formation of new companies in such cases,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Allen introduced a bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Skinner introduced a bill entitled "An act to amend section 1, title 2, chapter 7, part 1 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Wadsworth introduced a bill entitled "An act to amend the statutes in reference to the collection of taxes in the county of Livingston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Kern introduced a bill entitled "An act requiring justices of the peace to give bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Thain introduced a bill entitled "An act to amend section 1, chapter 316 of the Laws of 1876, entitled 'An act relative to judgments entered upon forfeited recognizances in the city and county of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Baker introduced a bill entitled "An act to amend chapter 604 of the Laws of 1874, entitled 'An act to provide for the surveying, laying out and monumenting of certain portions of the city and county of New York, and to provide means therefor,' passed June 5, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Prescott introduced a bill entitled "An act to amend an act entitled 'An act relating to courts, officers of justice and civil proceedings,' passed June 2, 1876, and the same act as amended by chapters 416 and 422 of the Laws of 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. North introduced a bill entitled "An act relating to certain courts of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Floyd-Jones introduced a bill entitled "An act to amend chapter 249 of the Laws of 1857, entitled 'An act to amend an act entitled An act to incorporate the American Female Guardian Society,' passed April 6, 1849, passed April 3, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Sawyer introduced a bill entitled "An act to amend chapter 197 of the Laws of 1864, entitled 'An act to amend the several acts relating to taxes upon dogs, so far as relates to the county of Ontario, and providing for the extension of the provisions thereof to the several counties of the State, by resolution of the respective boards of supervisors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

On motion of Mr. Alvord, at 1 o'clock and 40 minutes, the House adjourned.

WEDNESDAY, FEBRUARY 6, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Son.

The journal of yesterday was read and approved.

The privileges of the floor were granted the Hon. Messrs. G. F. Herbst, A. G. Thompson, John Van Orden and W. H. Ely, former members of the House.

Mr. Berry introduced a bill entitled "An act in relation to pipe line companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Langner introduced a bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Bergen introduced a bill entitled "An act in relation to the sales

of personal property by instalments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Astor introduced a bill entitled "An act in relation to the appointment and compensation of commissioners, of jurors and their assistants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Mattison introduced a bill entitled "An act to provide for the formation of county co-operative insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. North introduced a bill entitled "An act to repeal section 6 of an act entitled 'An act to amend and make additions to chapter 463 of the Laws of 1860, entitled An act to revise the charter of the city of Oswego, and the acts amendatory thereof,' passed May 20, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Brooks introduced a bill entitled "An act to authorize the merging of corporations organized under the act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853, and of the acts amending or extending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Havens introduced a bill entitled "An act to incorporate the Greenport Wharf Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Keegan introduced a bill entitled "An act to change the commissioners' map of Long Island City, with respect to the intersection of Vernon avenue with Borden and Jackson avenues respectively," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a petition on same subject; which was read and referred to the same committee.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to authorize the board of trustees of the village of West Mount Vernon, in the county of Westchester, to discontinue and close part of Railroad avenue in said village, and grant or lease the same to the Harlem railroad company for the erection of a railroad station building."

"An act to amend chapter 166 of the Laws of 1877, entitled 'An act to amend chapter 435 of the Laws of 1868, entitled An act to incorporate the village of Hamilton, in the county of Madison, and repeal its present charter, and to repeal chapter 250 of the Laws of 1870, chapter 18 of the Laws of 1874, and chapter 142 of the Laws of 1875.'"

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. S. V. R. Miller, Int. No. 188, entitled "An act concerning the colonial records of the State," reported adversely thereto, which report was agreed to.

Mr. Alvord from the committee on ways and means, to which was referred the bill introduced by Mr. Wadsworth, Int. No. 277, entitled "An act to amend the statutes in reference to the collection of taxes in the county of Livingston," reported in favor of the passage of the same,

which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the Senate bill entitled "An act to provide for the appointment and compensation of deputies and clerks in the Attorney-General's office," reported in favor of the passage of the same, with an amendment; which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Moller, Int. No. 272, entitled "An act to legalize and confirm the official acts of George E. Van Derburgh, a justice of the peace in the town of Mamaroneck, in the county of Westchester," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to authorize the town of Richfield, in the county of Otsego, to refund its funded debt," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill entitled "An act in relation to field books, surveys, maps, official papers and records in the office of the State Engineer and Surveyor," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Griggs, from the committee on general laws, to which was referred the Senate bill entitled "An act to amend chapter 102 of the Laws of 1872, entitled 'An act to incorporate the Onondaga Milk Association,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on public printing, to which was referred the Senate resolution relative to printing 500 copies of the report of the commissioners to revise the statutes, reported adversely thereto.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Skinner, from the committee on public printing, to which was referred the resolutions relative to printing various documents, reported in favor of the adoption of the following resolutions:

Resolved (if the Senate concur), That there be printed as follows:

Two thousand five hundred extra copies of the annual report of the Superintendent of Public Instruction for 1878, to be bound in cloth, for the use of that officer.

Five hundred extra copies of the eleventh annual report of the New York Institution for the Improved Instruction of Deaf Mutes, for the use of said institution, the same to be bound in paper covers.

Resolved, That the Assembly concur in the Senate resolutions to print as follows:

Fifteen hundred extra copies of the eleventh annual report of the State Board of Charities, one thousand copies to be bound in paper covers, and five hundred copies in cloth, for the use of said board.

Eight thousand extra copies of the report of the State Assessors, five thousand copies to be distributed by the Secretary of State among the

supervisors and assessors of the various towns and cities of the State, two thousand copies for the use of the Legislature, and one thousand copies for the use of the State Assessors, the whole number of copies to be bound in paper covers.

Five hundred extra copies of the annual report of the Trustees of the Astor Library to be bound in paper covers, for the use of said library.

Twenty-five hundred extra copies of the annual report of the Managers of the Western House of Refuge to be bound in paper covers, for the use of the managers of that institution.

Resolved, That the Assembly concur in the Senate resolutions to print, amended so as to read as follows:

Two thousand copies of the annual report of the Managers of the New York State Lunatic Asylum to be bound in paper covers, without lithographic plates, for the use of the managers of said asylum.

One thousand extra copies of the annual report of the Canal Commissioners for the year ending September 30, 1877, to be bound in cloth, for the use of the Canal Commissioners; provided, in each and every case, that the cost of printing of the extra documents named in the foregoing resolutions, shall not exceed ten cents per page per one hundred copies.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 4 }

Those who voted in the affirmative, were

Allen	Crawford	Keegan	Piper
Alvord	Curran	Kern	Prescott
Andrews	Daly	King	Purdy
Astor	Fish	Langner	Reynolds
Baker	Fitzgerald	Loveland	Roberts
Beard	Floyd-Jones	Lowing	Rowland
Bergen	Galvin	Mattison	Sawyer
Berrigan	Gilbert	McDonough	Sheard
Berry	Graham	J. H. Miller	Sheldon
Bouck	Griggs	Mooers	Skinner
Brundage	Henry	Meyenborg	Sutherland
Burns	Hepburn	North	Thain
Case	Hobbie	Noyes	Thomson
Chappell	Holahan	Palmer	Valentine
Chase	Holbrook	Parker	Wadsworth
Clapp	Hoyt	Pattengill	Waring
J. Clark	Hurd	C. C. Peck	Wilbor
J. M. Clark	Jones	D. C. Peck	Willis
Converse	Keator	Peek	Winch
Crandall			

Those who voted in the negative, were

Cormack	Grady	Pool	Terry
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Mr. King, from the committee on public health, to which was referred the bill introduced by Mr. Fitzgerald, Int. No. 206, entitled "An act to provide for the sanitary inspection of common schools and school buildings in the city and county of New York," reported in favor of the pas-

sage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waring, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Flynn, Int. No. 98, entitled "An act to extend the powers and privileges of 'The Childrens' Aid Society,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waring, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Waring, Int. No. 198, entitled "An act to enable the Home for Incurables to take and hold real estate to the amount of \$250,000 in value," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waring, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Brooks, Int. No. 212, entitled "An act to amend an act entitled 'An act to allow the trustees, directors or managers of incorporated asylums to bind out orphans or indigent children surrendered to their care, Laws of 1855, chapter 159,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sheard, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Mapes, Int. No. 106, entitled "An act to amend chapter 97 of the Laws of 1867, entitled 'An act for the incorporation of co-operative and industrial unions,' passed June 24, 1867, and to amend the title," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sheard, from the committee on trades and manufactures, to which was referred the bill introduced by Mr. I. I. Hayes, Int. No. 68, entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," reported adversely thereto.

The question being on agreeing to said report,

Mr. I. I. Hayes moved to lay the same on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Wadsworth moved to discharge the committee on agriculture from the further consideration of the bill entitled "An act establishing the New York Agricultural Experiment Station," and that said bill be committed to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Converse, Int. No. 148, entitled "An act to amend chapter 881 of the Laws of 1869, entitled 'An act to amend an act entitled An act to amend an act entitled An act to incorporate the village of Port Byron,' passed March 28, 1855," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred

the bill introduced by Mr. Astor, Int. No. 90, entitled "An act to provide against the use of unsuitable and dangerous telegraph poles in cities of this State," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Burns, Int. No. 211, entitled "An act to amend chapter 129, Laws of 1872, entitled "An act to amend an act passed May 3, 1870, entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816,' and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Jones, Int. No. 91, entitled "An act to divide the third and seventh wards of the city of Utica, and to create the eleventh and twelfth wards therein," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. I. I. Hayes, Int. No. 250, entitled "An act to amend chapter 484 of the Laws of 1862, entitled 'An act in relation to the courts in the city and county of New York,' passed April 24, 1862," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

(Mr. Holahan dissented).

Mr. Holahan moved to recommit said bill to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to abolish the office of commissioner of jurors of the city of New York, and to transfer the duties of said office to the clerk of the city and county of New York."

"An act granting free passage through toll-gates and over toll-bridges and ferries to the national guard."

"An act to amend article 3 of title 3 of chapter 6 of the second part of the Revised Statutes, "of the duties of executors and administrators in rendering an account and in making distribution to the next of kin."

"An act to amend an act entitled 'An act to authorize the appointment of a librarian to take charge of the law library, in the fifth judicial district, located in Utica,' passed April 5, 1877, chapter 94."

"An act to amend section 8, chapter 399 of the Laws of 1860, entitled 'An act to amend the several acts in relation to State prisons.'"

"An act to amend section 473 of the code of civil procedure.

"An act in relation to noxious weeds and brush in public highways."

"An act in relation to coroners' fees, their term of office and post-mortem examinations in Albany county."

"An act to amend chapter 344 of the Laws of 1877, entitled 'An act to authorize railroad corporations to pay commutation money for highway labor, to the commissioners of highways of towns."

"An act to provide means for the ordinary repairs of the canals for the

calendar year of 1878, in case the revenues shall be insufficient to meet the appropriations for that purpose."

"An act to amend an act entitled 'An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' passed April 17, 1854, as amended by chapter 458 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of this State, except the counties of Erie, Kings, Queens, New York and Onondaga,' and as further amended by chapter 489 of the Laws of 1873, and by chapter 551 of the Laws of 1874, and by chapter 233 of the Laws of 1875."

Mr. Alvord presented the report of the Regents of the University on the New Jersey and Pennsylvania boundary monuments; which was read and referred to the committee on ways and means and ordered printed.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

Mr. Hays moved to recommit the bill entitled "An act to abolish the office of commissioner of jurors of the city of New York, and to transfer the duties of said office to the clerk of the city and county of New York," to the committee on the affairs of cities, retaining its place on the order of third reading, with power to report at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to recommit the bill entitled "An act to amend section 8, chapter 399 of the Laws of 1860, entitled 'An act to amend the several acts in relation to State prisons,'" to the committee on ways and means, retaining its place in the order of third reading, said committee to report at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" being announced for a third reading,

Mr. Allen moved to recommit said bill to the committee on internal affairs, retaining its place on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act no prevent fraud in the manufacture and sale of commercial fertilizers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Crowley	Keator	Pool
Allen	Daly	Keegan	Prescott
Alvord	Deyoe	Kern	Purdy

Andrews	Douglass	King	Reynolds
Astor	Fitzgerald	Loveland	Roberts
Baker	Floyd-Jones	Lowling	Rowland
Beard	Galvin	Mattison	Sawyer
Berrigan	Gilbert	McDonough	Searing
Berry	Graham	Mead	Seebacher
Bouck	Griggs	J. H. Miller	Sheard
Brooks	Halliday	S. V. R. Miller	Sheldon
Burns	J. Hayes	Neilson	Skinner
Chappell	Henry	Nelson	Sutherland
Chase	Hepburn	Noyes	Thain
Clapp	Hobbie	Palmer	Thomson
J. M. Clark	Holahan	Parker	Townsley
Converse	Holbrook	Pattengill	Valentine
Cormack	Hoyt	Patterson	Wilbor
Cosad	Hulme	C. C. Peck	Willers
Crandall	Hurd	D. C. Peck	Willis
Crawford	Jones	Piper	Winch

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act granting free passage through toll-gates and over toll-bridges and ferries to the national guard," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 80 {
} NOES 00 {

Those who voted in the affirmative, were

Abbott	Daly	Lowling	Reynolds
Alvord	Fitzgerald	Mapes	Roberts
Andrews	Floyd-Jones	Mattison	Rowland
Astor	Galvin	Mead	Sawyer
Baker	Gilbert	S. V. R. Miller	Searing
Bathe	Graham	Mooers	Seebacher
Beard	Griggs	Meyenborg	Sewell
Bergen	Halliday	Neilson	Shanley
Berrigan	Henry	Niven	Sheard
Berry	Hepburn	North	Sheldon
Bouck	Hobbie	Noyes	Skinner
Brooks	Holbrook	Palmer	Sutherland
Browning	Hoyt	Pattengill	E. Taylor
Case	Hulme	Patterson	Thain
Chappell	Hurd	D. C. Peck	Thomson
Chase	Jones	Piper	Townsley
Clancy	Keator	Pool	Valentine
Clapp	Kern	Prescott	Waring
J. M. Clark	King	Proper	Willers
Crandall	Loveland	Purdy	Willis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend article 3 of title 3 of chapter 6 of the second part of the Revised Statutes, 'of the duties of executors and administrators in rendering an account and in making distribution to the next of kin,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 78 }
} NOES 00 }

Those who voted in the affirmative, were

Allen	Crawford	Lowing	Roberts
Alvord	Crowley	Mattison	Rowland
Andrews	Curran	Mead	Sawyer
Astor	Daly	J. H. Miller	Seebacher
Baker	Floyd-Jones	S. V. R. Miller	Shanley
Beard	Gilbert	Mooers	Sheard
Bergen	Grady	Meyenborg	Sheldon
Berrigan	Graham	Neilson	Skinner
Berry	Griggs	North	E. Taylor
Bouck	Halliday	Noyes	Terry
Brooks	Havens	Palmer	Thomson
Chappell	Hobbie	Pattengill	Townsley
Chase	Holahan	C. C. Peck	Valentine
Clapp	Holbrook	Peek	Wadsworth
J. Clark	Hoyt	Piper	Waring
J. M. Clark	Hurd	Pool	Wilbor
Converse	Jones	Prescott	Willers
Cormack	Keator	Proper	Willis
Cosad	Kern	Reynolds	Winch
Crandall	King		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize the appointment of a librarian to take charge of the law library in the fifth judicial district, located in Utica,' passed April 5, 1877, chapter 94," being announced for a third reading,

Mr. Roberts moved to recommit said bill to the committee on judiciary, with instructions to amend said bill, in section 1, line 8, by striking out the word "five," and inserting the word "three," said committee to report forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Piper, from the committee on the judiciary, reported back said bill, amended, as instructed by the House.

Mr. Bergen moved to lay said bill on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend section 473 of the Code of Civil Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }
{ NOES 7 }

Those who voted in the affirmative, were

Abbott	Griggs	Meyenborg	Sewell
Allen	Halliday	North	Sheard
Andrews	Hepburn	Noyes	Sheldon
Bergen	Holbrook	Palmer	Skinner
Berry	Hoyt	Parker	Story
Brooks	Hulme	Pattengill	Strack
Brundage	Jones	C. C. Peck	Sutherland
Chappell	Keator	D. C. Peck	Terry.
Chase	Keegan	Peek	Thain
Clapp	King	Piper	Thomson
Cormack	Langner	Pool	Valentine
Cosad	Loveland	Prescott	Wadsworth
Daly	Lowing	Purdy	Waring
Deyoe	Mattison	Reynolds	Wheeler
Fish	Mead	Roberts	Willers
Floyd-Jones	J. H. Miller	Rowland	Williams
Galvin	S. V. R. Miller	Sawyer	Willis
Gilbert	Moller	Searing	Winch
Graham	Mooers	Seebacher	

Those who voted in the negative, were

Alvord	Berrigan	Curran	Hobbie
Beard	Bouck	Havens	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to noxious weeds and brush in public highways," being announced for a third reading,

Mr. D. W. C. Peck moved to recommit said bill to the committee on roads and bridges, with instructions to amend said bill in the words following: Strike out all after the word "year," in line 5, section 1, and insert as follows: "But boards of supervisors may fix a different period or periods for such cutting or destruction in their respective counties. This section shall not be construed to restrict any of the powers heretofore conferred upon boards of supervisors;" said committee to report forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Williams, from the committee on roads and bridges, reported back said bill, amended, as instructed by the House.

Mr. Wheeler moved to recommit said bill to the committee on roads and bridges, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 68 }
{ NOES 19 }

Those who voted in the affirmative, were

Alvord	Cormack	Holbrook	Purdy
Andrews	Cosad	Hoyt	Roberts
Baker	Crandall	Jones	Rowland
Beard	Crawford	Keator	Sawyer
Berrigan	Crowley	Keegan	Searing
Berry	Curran	Kern	Seebacher
Bouck	Daly	King	Sewell
Brooks	Deyoe	Langner	Sheldon
Browning	Fitzgerald	Mattison	Skinner
Brundage	Galvin	J. H. Miller	Story
Case	Grady	Noyes	utherland
Chappell	Graham	Pattengill	E. Taylor
Chase	Griggs	D. C. Peck	Thomson
Clapp	Halliday	Peck	Townsley
J. Clark	Hamilton	Piper	Valentine
J. M. Clark	Havens	Pool	Waring
Converse	Hobbie	Prescott	Williams

Those who voted in the negative, were

Astor	Hulme	North	Sliter
Fish	Hurd	Palmer	Wilbor
Floyd-Jones	Loveland	Parker	Willis
Flynn	Lowing	Reynolds	Winch
Hepburn	Neilson	Sheard	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to coroners' fees, their term of office and post-mortem examinations in Albany county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Day	Loveland	Rowland
Allen	Deyoe	Lowing	Sawyer
Alvord	Fish	Mattison	Searing
Andrews	Floyd-Jones	McDonough	Sewell
Astor	Flynn	J. H. Miller	Sheard
Baker	Galvin	S. V. R. Miller	Sheldon
Beard	Gilbert	Mooers	Skinner
Berrigan	Grady	Meyenborg	Strack
Berry	Graham	Nelson	Sutherland
Brooks	Griggs	North	E. Taylor
Browning	Halliday	Palmer	Terry
Brundage	Havens	Pattengill	Thain

Burns	I. I. Hayes	C. C. Peck	Thomson
Case	Henry	D. C. Peck	Townsley
Chappell	Hobbie	Peek	Valentine
Chase	Holahan	Piper	Wadsworth
J. Clark	Holbrook	Pool	Waring
Converse	Hoyt	Prescott	Wilbor
Cosad	Hulme	Proper	Willers
Crowley	Jones	Purdy	Willis
Curran	Keator	Reynolds	Winch
Daly	Langner	Roberts	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 344 of the Laws of 1877, entitled 'An act to authorize railroad corporations to pay commutation money for highway labor, to the commissioners of highways of towns,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 79 }
 } NOES 3 }

Those who voted in the affirmative, were

Abbott	Fish	McDonough	Seebacher
Allen	Galvin	Mekeel	Sewell
Alvord	Grady	S. V. R. Miller	Shanley
Astor	Griggs	Moovers	Sheard
Baker	Havens	Meyenborg	Sheldon
Berrigan	I. I. Hayes	Nelson	Skinner
Berry	Hepburn	Noyes	Sliter
Brooks	Hobbie	Palmer	Strack
Case	Holahan	Pattengill	Sutherland
Chappell	Holbrook	C. C. Peck	E. Taylor
Chase	Hoyt	D. C. Peck	Terry
Clapp	Hulme	Peek	Thain
J. Clark	Jones	Piper	Thomson
J. M. Clark	Keator	Pool	Townsley
Converse	Keegan	Prescott	Valentine
Cosad	Kern	Reynolds	Wadsworth
Crandall	Langner	Roberts	Wheeler
Curran	Loveland	Rowland	Willers
Daly	Lowing	Sawyer	Williams
Deyoe	Mattison	Searing	

Those who voted in the negative, were

Beard	Halliday	North
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide means for the ordinary repairs of the canals for the calendar year of 1878, in case the revenues shall be insufficient to meet the appropriations for that purpose," was read a third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 7 }

Those who voted in the affirmative, were

Abbott	Fish	Loveland	Searing
Allen	Fitzgerald	Lowing	Seebacher
Alvord	Floyd-Jones	J. H. Miller	Sewell
Andrews	Flynn	S. V. R. Miller	Shanley
Astor	Galvin	Mooers	Sheard
Baker	Griggs	Meyenborg	Sheldon
Berrigan	Halliday	North	Skinner
Berry	Hamilton	Noyes	Strack
Brooks	Havens	Parker	Sutherland
Browning	I. I. Hayes	Pattengill	E. Taylor
Brundage	Henry	C. C. Peck	Terry
Burns	Hepburn	D. C. Peck	Thain
Case	Hobbie	Peek	Thomson
Chappell	Holbrook	Piper	Townsley
Chase	Hulme	Prescott	Valentine
Clapp	Hurd	Proper	Wadsworth
J. Clark	Jones	Purdy	Waring
J. M. Clark	Keegan	Reynolds	Wheeler
Converse	Kern	Roberts	Willers
Crandall	King	Rowland	Williams
Crawford	Langner	Sawyer	Willis
Curran			

Those who voted in the negative, were

Beard	Grady	Palmer	Sliter
Cormack	Keator	Pool	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' passed April 17, 1854, as amended by chapter 458 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of this State, except the counties of Erie, Kings, Queens, New York and Onondaga, and as further amended by chapter 489 of the Laws of 1873, and by chapter 551 of the Laws of 1874, and by chapter 233 of the Laws of 1875," being announced for a third reading,

On motion of Mr. Wheeler, and by unanimous consent, said bill was amended in section 1, line 22, engrossed bill, by inserting after the word "erecting," the word "constructing."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Crowley	McDonough	Sewell
Alvord	Curran	J. H. Miller	Shanley
Andrews	Fish	Mooers	Sheard
Astor	Fitzgerald	Neilson	Sheldon
Baker	Floyd-Jones	Nelson	Skinner
Beard	Galvin	Noyes	Sliter
Bergen	Gilbert	Palmer	Strack
Berrigan	Grady	Parker	Sutherland
Berry	Halliday	Pattengill	E. Taylor
Brooks	I. I. Hayes	C. C. Peck	Terry
Browning	Henry	D. C. Peck	Thain
Brundage	Hobbie	Peek	Thomson
Burns	Holahan	Piper	Townsley
Chase	Hoyt	Pool	Valentine
Clapp	Hulme	Prescott	Wadsworth
J. Clark	Jones	Proper	Wheeler
Cormack	Keegan	Roberts	Wilbor
Cosad	King	Sawyer	Willers
Crandall	Langner	Searing	Willis
Crawford	Mattison	Seebacher	Winch

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented the annual report of the Superintendent of the Insurance Department for the year ending December 31, 1877; which was laid on the table and ordered printed

Mr. Speaker presented a communication from His Excellency the Governor, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *February 6, 1878.* }

To the Legislature:

I have the honor to transmit herewith the report of the commissioners to purchase an executive residence, appointed by chapter 128, Laws of 1877.

L. ROBINSON.

Said communication was referred to the committee on ways and means, and ordered printed.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to provide for extending the time for the collection of taxes in the city of Hudson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 530 of the Laws of 1865, entitled 'An act to incorporate the Legal Protection Society of the town of Madison, Madison county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Messrs. C. C. Peck, Langner, Berry, Parker, Shanley, Chappell, Piper, Grady, Fitzgerald, Browning, Graham, Astor, Thain, Hobbie, Holahan, J. Hayes, McDonough, North, Daly, Story, Lowing, Purdy, Nelson, S.

V. R. Miller and Converse, presented petitions in favor of a modification of excise laws, which were read and referred to the committee on internal affairs.

Messrs. Wheeler, Noyes, Andrews, Waring, Meyenborg, Kern, Clancy, Hobbie, Floyd-Jones, Pattengill, Case, Mattison, Hoyt, Graham, Nelson, Havens, Keator, Halliday, Brooks, Keegan, J. M. Clark, Lowing, Abbott and C. C. Peck presented petitions against any modification of excise laws, which were read and referred to the committee on internal affairs.

Mr. Speaker presented a remonstrance of 54,330 citizens of New York city against the passage of a bill abolishing the College of the City of New York, which was read and referred to the committee on affairs of cities.

Mr. Sheard presented a petition of A. Loomis and twenty-two members of the bar of Herkimer county, praying for the restoration of the old Code of Procedure, which was read and referred to the committee on the judiciary.

Mr. Neilson presented a petition of citizens of Clifton Park, Saratoga county, in favor of a law prohibiting the killing of partridge, woodcock and grey squirrels, for two years, which was read and referred to the committee on game laws.

Mr. Brooks presented three memorials for prison reform, which were read and referred to the committee on State prisons.

Mr. Brooks presented a memorial from the trustees of the Seamen's Fund and Retreat, asking for the payment of their debt and authority to sell their lands, which was read and referred to the committee on ways and means.

Mr. Brooks offered for the consideration of the House a resolution, in the words following :

Resolved, That the State Comptroller be requested to report to the House, at his earliest convenience, what, if any, advantage accrues to the State, either as to the present or probable finances, or as to any question of State policy or economy in continuing State control over the Onondaga salt reservation, or in the right to use the waters for pumping from the Oswego and Erie canals, and also what amount of income is received from the tolls imposed upon foreign salt ; and also if the effect of the present toll on foreign salt is not injurious to the trade of the city of New York with the west, by causing shipment via New Orleans, instead of by canal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Brooks offered for the consideration of the House a resolution, in the words following :

Resolved, That the Auditor of the Canal Department be requested to report to the House his opinion whether there may not be a considerable reduction of the number of weighmasters, assistant weighmasters and collectors, with their assistants, hitherto in the service of the canals ; and also in consultation with the State Engineer, whether the services of the engineers, resident and division, and of the surveyors, may not be dispensed with, with no detriment to the proper care and efficiency of the canals.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Graham offered for the consideration of the House a resolution, in the words following :

Resolved, That the Clerk be directed to procure 1,000 copies of the diagram of the Assembly Chamber, for the use of members of the House.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Mattison offered for the consideration of the House a resolution, in the words following:

Whereas, The State Board of Equalization, during the year 1877, in making the table of equalized valuation upon which the tax of that year was levied, took from the valuation of real and personal property of the cities of New York and Brooklyn, as returned by the State Board of Assessors, the sum total of \$81,444,892, and added this large amount to the other counties of this State, making, as is believed, an unjust discrimination in favor of the said cities and against the rest of the State; therefore be it

Resolved, That the committee on ways and means of this House be directed to investigate this matter, and report by what authority of law or otherwise, the said board of equalization altered the assessment as returned by the State Assessors, in order to benefit our largest city at the expense of the country, whereby the interior of the State has been compelled to raise \$257,908.82 more of tax than it would have paid if the table of the State Assessors had been adopted.

Resolved, That the said committee are further directed to report what means of redress are afforded to counties that are deemed aggrieved under the existing laws of this State. And also, what further legislation is necessary, in order to secure an equalization that is fair and equitable toward every part of the State.

Amount added to the several counties, by the Board of Equalization, in excess of table reported by the State Assessors.

Albany	\$1,799,042	Oneida	\$3,897,518
Allegany	1,222,308	Onondaga	4,197,626
Broome	1,090,431	Ontario	2,626,750
Cattaraugus	1,088,732	Orange	4,288,360
Cayuga	1,759,908	Orleans	1,018,226
Chautauqua	2,505,062	Oswego	1,174,745
Chemung	1,247,167	Otsego	576,823
Chenango	1,557,353	Putnam	980,823
Clinton	1,037,236	Queens	820,026
Columbia	1,861,430	Rensselaer	950,939
Cortland	1,026,727	Richmond	999,573
Delaware	1,092,688	Rockland	616,650
Dutchess	2,336,668	St. Lawrence	1,169,003
Erie	3,245,383	Saratoga	1,260,757
Essex	458,738	Schenectady	893,458
Franklin	1,319,551	Schoharie	975,825
Fulton	1,440,671	Schuyler	407,019
Genesee	1,249,103	Seneca	516,171
Greene	1,000,000	Steuben	1,495,600
Hamilton		Suffolk	896,395
Herkimer	1,260,016	Sullivan	375,125
Jefferson	1,237,491	Tioga	1,191,869
Kings*		Tompkins	675,357
Lewis	752,199	Ulster	1,850,175
Livingston	1,546,624	Warren	507,120
Madison	645,398	Washington	201,245
Monroe	4,203,782	Wayne	1,318,747
Montgomery	2,386,020	Westchester	3,685,192
New York†		Wyoming	875,565
Niagara	1,403,740	Yates	379,657

* \$77,186,723 deducted from New York.

† \$4,258,169 deducted from Kings.

Said resolutions giving rise to debate, the same were ordered to be laid on the table.

Mr. Cosad offered for the consideration of the House a resolution, in the words following:

Resolved, That the Comptroller be and he is hereby respectfully requested to inform this House what amounts have been appropriated and expended by the State on account of the natural history of this State since the year 1835, whether for authorship, salaries and expenses of persons employed in the preparation thereof, and on account of the geological survey of the State, or for drawings and engravings, printing, binding and all other expenses connected with the publication of the twenty-one volumes of natural history already published by the State; also what amount the State has realized from the sale of said volumes of natural history; and, further, to state whether any contract made by the State, and still in force, authorizes the issuing of any further or additional volume after the completion of volume 5 of Palæontology, No. 22 of the series of Natural history now in preparation.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Thain called from the table a resolution previously offered by him, in the words following:

Resolved, That the committee on affairs of cities be and they hereby are directed to inquire into, and report (by bill or otherwise) within thirty days, such legislation, if any, as may be necessary to compel the New York Elevated Railroad Company and the Gilbert Elevated Railroad Company to proceed with the completion of their respective railways above Fifty-ninth street, in the city of New York, and otherwise in that respect, and in respect to the time of running their trains and rates of fare; that said railways shall, to some extent, be operated in the interest of the people.

Mr. Thain moved to amend said resolution by striking out the words "affairs of cities," and insert the word "railroad."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Leave of absence was granted to Mr. Brooks until Tuesday night.

Mr. Cormack offered for the consideration of the House a resolution, in the words following:

Whereas, A concurrent resolution is now before the Assembly looking to the ultimate assumption of the existing canal debt, and to a removal of tolls therefrom; and,

Whereas, This will be regarded as an oppressive and unjust measure by many citizens, and with a view to place this House in possession of information upon which to base intelligent legislation; therefore,

Resolved, That the Comptroller of the State be, and is hereby instructed to have prepared for the use of this House a table showing the sums of money raised by taxation, and paid by the several counties of this State for, and in the construction and maintenance of its various canals.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Waring offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That there be printed 3,500 copies

of the annual report of the Superintendent of the Insurance Department for the year ending December 31, 1877, bound in cloth, as follows: 1,500 copies of the fire and marine report, and 2,000 copies of the life report, bound separately; also ten copies of each report for each Senator, Member, officer and reporter of the Senate and Assembly, the whole expense thereof to be refunded to the treasury of the State by an equitable assessment by the Comptroller on the several insurance companies of this State, at a cost not to exceed ten cents per page per 100 copies for the printing thereof.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Mr. Waring offered for the consideration of the House a resolution, in the words following:

Resolved, That 500 extra copies of Assembly bill No. 48, to regulate the sale of intoxicating liquors in the city of New York, be printed for the use of the Members of the House.

On motion of Mr. Grady, said resolution was referred to the committee on printing.

Mr. Havens offered for the consideration of the House a resolution, in the words following:

Resolved, That the State Engineer and Surveyor is hereby requested to make or cause to be made a survey and examination as to the feasibility of making a permanent communication and connection between Peconic and Shinnecock Bays, in the county of Suffolk, by means of an opening or canal between them, with the view of aiding in keeping open an inlet into the ocean from Shinnecock Bay, and of navigation between the two bays for smacks, sail-boats and other like craft of light burthen, and that he report thereon to this House on or before 15th March, 1878, together with his opinion thereon, and asks the proper point or place for such opening or canal and a map or plan thereof, and the probable cost of making and constructing such opening or canal, and the probable annual expense of maintaining the same.

Said resolution was referred to the committee on ways and means.

By unanimous consent,

Mr. Fish introduced a bill entitled, "An act relating to the powers and duties of the board of estimate and apportionment of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities:

On motion of Mr. Gilbert, at 1 o'clock and 35 minutes, the House adjourned.

THURSDAY, FEBRUARY 7, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Kelley.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act in relation to the compensation of committees of the estate of idiots, lunatics, person of unsound mind and habitual drunkards,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 365 of the Laws of 1877, entitled 'An act authorizing and empowering the common council of the city of Rochester to construct a turn-table or swing-bridge over the Erie canal in Allen street, in the city of Rochester,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to release to Catharine Ringler the interest of the people of the State of New York, in and to the surplus moneys deposited with the chamberlain of the city of New York, to the credit of the action in the supreme court wherein John Adelhardt was plaintiff and Catharine Ringler and others were defendants."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution relative to the rates of tolls on the canals for the year 1878, with a message that they had concurred in the passage of the same.

By unanimous consent,

Mr. Waring called from the table a concurrent resolution previously offered by him:

Resolved (if the Senate concur), That there be printed 3,500 copies of the annual report of the Superintendent of the Insurance Department for the year ending December 31, 1877, bound in cloth, as follows: 1,500 copies of the Fire and Marine Report, and 2,000 copies of the Life Report, bound separately; also, ten copies of each report for each senator, member, officer and reporter of the Senate and Assembly, the whole expense thereof to be refunded to the treasury of the State, by an equitable assessment by the Comptroller on the several insurance companies of this State, at a cost not to exceed ten cents per page per one hundred copies for the printing thereof.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 73 }
} NOES 00 }

Those who voted in the affirmative, were

Abbott	Griggs	J. H. Miller	Searing
Allen	Havens	S. V. R. Miller	Seebacher
Astor	I. I. Hayes	Mooers	Sewell
Beard	Henry	Meyenborg	Sheldon
Bergen	Hepburn	Neilson	Skinner
Berry	Hobbie	Nelson	Sutherland
Bouck	Hurd	Noyes	E. Taylor
Browning	Jones	Palmer	Terry
Brundage	Keator	Parker	Thain
Chase	Kellogg	Pattengill	Thomson
Clapp	King	C. C. Peck	Townsley
J. M. Clark	Langner	D. C. Peck	Valentine
Crandall	Loveland	Pool	Wadsworth
Curran	Lowing	Prescott	Waring

Douglass	Mattison	Reynolds	Wheeler
Floyd-Jones	McDonough	Roberts	Willers
Foster	Mead	Rowland	Williams
Grady	Mekeel	Sawyer	Willis
Graham			

This being the day assigned by the rules for the consideration of general orders,

The House resolved itself into a committee of the whole on the bill entitled as follows:

Senate, "An act in relation to the powers and duties of the State Commissioner in Lunacy."

Senate, "An act to provide for the appointment and compensation of deputies and clerks in the Attorney General's office."

Senate, "An act in relation to field books, surveys, maps, official papers and records, in the office of the State Engineer and Surveyor."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Graham, from said committee, reported in favor of the passage of said first, second and third mentioned bills, the third mentioned bill, with amendments, the title amended by inserting after the word "papers," the word "report;" which report was agreed to, and said bills ordered to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to authorize the town of Richfield, in the county of Otsego, to refund its funded debt."

Senate, "An act to amend chapter 102 of the Laws of 1872, entitled 'An act to incorporate the Onondaga County Milk Association.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Clapp, from said committee, reported in favor of the passage of said first and second mentioned bills; which report was agreed to, and said bills ordered to a third reading.

On motion of Mr. Bergen, and by unanimous consent, the Senate bill entitled "An act in relation to field books, surveys, maps, official papers, reports and records, in the office of the State Engineer and Surveyor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Allen	Fitzgerald	Lowing	Reynolds
Alvord	Floyd-Jones	Mattison	Roberts
Andrews	Foster	McDonough	Rowland
Astor	Galvin	Mekeel	Sawyer
Beard	Grady	J. H. Miller	Searing
Bergen	Graham	S. V. R. Miller	Sewell
Berrigan	Hamilton	Moller	Sheldon
Berry	Havens	Mooers	Skinner
Bouck	I. I. Hayes	Myenborg	Sliter
Brundage	Hepburn	Nelson	Story

Chappell	Hobbie	Niven	Sutherland
Chase	Holahan	North	E. Taylor
Clapp	Holbrook	Noyes	Terry
J. Clark	Hoyt	Parker	Townsley
Converse	Hurd	Pattengill	Valentine
Cosad	Jones	Patterson	Wadsworth
Crandall	Keegan	C. C. Peck	Waring
Crawford	Kellogg	D. C. Peck	Wemple
Crowley	Kern	Piper	Wilbor
Daly	King	Pool	Willers
Deyoe	Langner	Prescott	Williams
Douglass	Loveland	Purdy	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

On motion of Mr. Case, and by unanimous consent, the Senate bill entitled "An act to authorize the town of Richfield, in the county of Otsego, to refund its funded debt," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, as follows:

{ AYES 85 }
 { NOES 00 }

Those who voted in the affirmative, were

Abbott	Daly	King	Roberts
Allen	Deyoe	Langner	Rowland
Alvord	Fitzgerald	Loveland	Sawyer
Andrews	Floyd-Jones	Lowing	Searing
Astor	Galvin	J. H. Miller	Sewell
Beard	Grady	Mooers	Sheard
Bergen	Graham	Meyenborg	Sheldon
Berrigan	Griggs	Nelson	Skinner
Berry	Halliday	Niven	Sliter
Bouck	Hamilton	North	Sutherland
Browning	Havens	Palmer	Terry
Brundage	J. Hayes	Parker	Thain
Case	Hepburn	Pattengill	Thomson
Chappell	Holahan	Patterson	Townsley
Chase	Holbrook	C. C. Peck	Valentine
Clapp	Hoyt	D. C. Peck	Waring
J. Clark	Hurd	Piper	Wemple
J. M. Clark	Jones	Pool	Wilbor
Converse	Keegan	Prescott	Willis
Cosad	Kellogg	Purdy	Winch
Crawford	Kern	Reynolds	Worth
Crowley			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Foster introduced a bill entitled "An act to amend the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Waring introduced a bill entitled "An act to provide for the construction of storm water sewers in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Chappell introduced a bill entitled "An act to regulate the assessment and taxation of all the property in the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Willis introduced a bill entitled "An act to authorize the railroad commissioners of the town of Skaneateles, to sell and convey the stock owned by said town in the Skaneateles Railroad, and to provide for the disposition of the proceeds thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Cosad introduced a bill entitled "An act to define and limit the number of State officers in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hoyt introduced a bill entitled "An act to provide for the payment of bonds heretofore issued by the village of Middletown, in the county of Orange, and to create a sinking fund therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sliter introduced a bill entitled "An act to amend an act entitled 'An act amending and revising and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863, passed April 25, 1871, passed April 26, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Mekeel introduced a bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village,' passed April 3, 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Willers introduced a bill entitled "An act in relation to the journal of the Senate and Assembly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Havens introduced a bill entitled "An act to provide for the election of commissioners for loaning certain moneys of the United States, in the several counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a bill entitled "An act to repeal chapter 421 of the laws of 1874, entitled 'An act to secure to children the benefits of an elementary education, and the several acts amendatory thereof, so far as the same relates to the several towns of this State,'" which was read the first time and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Terry introduced a bill entitled "An act to amend chapter 6, part 1, title 3, article 3, section twenty-one of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also a bill entitled "An act to amend chapter 30, of the Laws of 1876, entitled 'An act to amend chapter 520 of the Laws of 1870, entitled An act to establish and maintain a police force in the city of Troy, and to increase the powers and duties of the police commissioners of said city,' passed February 28, 1876," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on affairs of cities.

Mr. Valentine introduced a bill entitled "An act to authorize the board of supervisors of the county of Wayne to determine that the Clyde and Rose Plank-road Company abandon its plank or gravel road in that county, and to provide for the abandonment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Crowley introduced a bill entitled "An act authorizing the trustees of the Grosvenor Library, of Buffalo, to sell certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hobbie introduced a bill entitled "An act to release the interest of the people of the State of New York, in certain lands to Catharine Weber, formerly Rusch, and to authorize her to hold and convey the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, a petition on the same subject; which was read and referred to the same committee.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Clapp, Int. No. 150, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the Senate bill entitled "An act to change the name of the 'American Encaustic Tiling Company,' in the certificate for incorporation of said company and the license issued thereunder," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the Senate bill entitled "An act to legalize the official acts of 'The First Congregational Society of the city of Schenectady,' and the official acts of the trustees of said society," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Mead, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 82 }
} NOES 00 }

Those who voted in the affirmative, were

Allen	Flynn	McDonough	Searing
Alvord	Foster	Mead	Sewell

Andrews	Grady	Mekeel	Shanley
Astor	Graham	Mooers	Sheard
Beard	Griggs	Meyenborg	Sheldon
Berrigan	Halliday	Nelson	Skinner
Berry	Hamilton	Niven	Sliter
Bouck	I. I. Hayes	North	Story
Browning	Holahan	Noyes	Strack
Brundage	Holbrook	Palmer	Sutherland
Case	Hulme	Parker	E. Taylor
Chase	Hurd	Pattengill	Terry
J. Clark	Jones	Patterson	Thain
J. M. Clark	Keegan	C. C. Peck	Thomson
Crandall	Kellogg	D. C. Peck	Townesley
Curran	Kern	Piper	Waring
Daly	King	Pool	Wilbor
Deyoe	Langner	Prescott	Williams
Douglass	Loveland	Purdy	Willis
Fitzgerald	Lowing	Reynolds	Winch
Floyd-Jones	Mattison		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Griggs, from the committee on general laws, to which was referred the bill introduced by Mr. Floyd-Jones, Int. No. 210, entitled "An act to extend the powers of boards of supervisors and certain town officers of the several towns of this State, in relation to roads and bridges," reported adversely thereto, which report was agreed to.

Mr. I. I. Hayes, from the committee on canals, introduced a bill entitled "An act making an appropriation to pay certain awards made by the Canal Appraisers, and to pay counsel employed on behalf of the State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, introduced a bill entitled "An act to authorize a tax of three-tenths of a mill per dollar of valuation, to provide for a deficiency in the sinking fund under article 7, section 3 of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, introduced a bill entitled "An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the first day of October, 1878, and to supply in part a deficiency in the sinking fund under article 7, section 3 of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, to which was referred the resolution in words following: "*Resolved*, That a sound policy seems to require the abandonment of the Genesee Valley and Chemung canals, the expenditure upon the former during the past canal season being \$22,211.39 in excess of the receipts, and of the whole receipts but \$41,745.17, and of the latter canal \$1,532.21 in excess, of \$3,211.54 of tolls received, that the committee on canals consider the expediency of reporting at an early day a bill for closing these two canals before the commencement of the canal season of 1878;" reported adversely thereto.

On motion of Mr. I. I. Hayes said report was laid on the table.

Mr. I. I. Hayes, from the committee on canals, to which was referred the bill introduced by Mr. Holbrook, Int. No. 261, entitled "An act to abolish the office of Canal Appraisers," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. I. I. Hayes, said bill was recommitted to committee on canals, retaining place on general order.

Mr. Worth, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Clapp, Int. No. 201, entitled "An act establishing a ferry from Foot's Point in the town of Crown Point, county of Essex, across Lake Champlain to Port Franklin (so called), in the town of Bridgport, State of Vermont," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Worth, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. McDonough, Int. No. 34, entitled "An act to amend an act entitled 'An act for the protection of emigrants arriving in the State of New York,' passed 1848," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act in relation to solicitors of passengers for steamboats, ships or vessels in the cities of New York and Brooklyn;" which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Worth offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on commerce and navigation be discharged from the further consideration of the bill introduced by Mr. Keegan, Int. No. 273, entitled 'An act for the improvement of the navigation of Freeport creek, in the town of Hempstead, Queens county,' and that said bill be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Curran, Int. No. 95, entitled "An act to amend chapter 465 of the Laws of 1875, entitled 'An act to require the payment of certain premiums to the fire departments of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York and doing business therein,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Curran, Int. No. 137, entitled "An act to amend chapter 359 of the Laws of 1876, entitled 'An act to amend chapter 464 of the Laws of 1875, entitled 'An act to require the payment of certain premiums to the fire department of cities and incorporated villages, by fire insurance companies not organized under the laws of the State of New York, but doing business therein,' passed May 28, 1875,'" reported adversely thereto.

Mr. Curran moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Proper, Int. 226, entitled "An act to legalize the proceedings of Livingston Union Insurance Company in the county

of Columbia," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Curran, Int. No. 138, entitled "An act to repeal an act entitled 'An act relative to paving streets and constructing sewers in the village of West Troy,' passed March 10, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Lowing, Int. No. 9, entitled "An act to amend an act entitled 'An act to authorize the trustees of the corporation of the village of Portageville, county of Wyoming, to cause an assessment to be made of the taxable property of said corporation and to be levied and collected a tax sufficient to pay the indebtedness of said corporation,' passed June 4, 1877," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. King, from the committee on public health to which was referred the bill introduced by Mr. Worth, Int. No. 70 entitled "An act to create a board of pharmacy and to regulate the sale of medicine in Kings county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Astor, from the committee on militia, to which was referred the bill introduced by Mr. Meyenborg, Int. No. 140, entitled "An act to fix and regulate compensation for services rendered by certain officers of the national guard," reported adversely thereto.

Mr. Meyenborg moved to disagree with the report of the committee, and that said bill be referred to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Skinner, from the committee on public printing, to which was referred the resolution relative to printing extra copies of Assembly bill No. 48, reported in favor of the adoption of the following resolution:

Resolved, That 500 copies of Assembly bill No. 48, to regulate the sale of intoxicating liquors in the county of New York, be printed for the use of the House; provided that the cost of printing the same shall not exceed ten cents per page per 100 copies.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 78 }
 } NOES 12 }

Those who voted in the affirmative, were

Allen	Fitzgerald	Lowing	Reynolds
Alvord	Floyd-Jones	Mapes	Roberts
Andrews	Flynn	Mattison	Sawyer
Astor	Gilbert	Mekeel	Seebacher
Bergen	Griggs	S. V. R. Miller	Shanley
Berrigan	Halliday	Mooers	Sheldon
Berry	Hamilton	Meyenborg	Skinner
Bouck	Havens	Niven	Sliter
Brundage	I. I. Hayes	North	Story

Burns	Henry	Noyes	Sutherland
Case	Hobbie	Palmer	E. Taylor
Chase	Holahan	Parker	Terry
Clancy	Holbrook	Patterson	Thomson
Clapp	Hoyt	Peek	Townsley
J. Clark	Jones	Piper	Wadsworth
J. M. Clark	Kellogg	Pool	Waring
Converse	Kern	Prescott	Williams
Crawford	King	Proper	Willis
Curran	Langner	Purdy	Worth
Deyoe	Loveland		

Those who voted in the negative, were

Beard	Grady	C. C. Peck	Thain
Cormack	Moller	Searing	Valentine
Foster	Pattengill	Sewell	Willers

Mr. Speaker presented a communication from the Comptroller in answer to a resolution of the Assembly in regard to the amount of funds contributed for a hall of military record, and of the present condition of said funds; which was laid on the table and ordered printed.

(See Doc. No. 50.)

Said communication was referred to the committee on ways and means when printed.

Messrs. Foster, Wilbor, Wheeler, Mapes, Sutherland, Reynolds, Terry, Mekeel, and Mead, presented petitions against any modification of excise laws; which were read and referred to the committee on internal affairs.

Messrs. Clancey, Shanley, Curran, Hobbie, Browning, Patterson, Thain, Grady, Frank, Hollahan, Seebacher, North, Holbrook, Astor, Floyd-Jones, Fitzgerald, Prescott and Roberts presented petitions in favor of a modification of excise laws; which were read and referred to the same committee.

Mr. Griggs presented a petition for the repeal of the Code of Civil Procedure by members of Albany county bar; which was read and referred to the committee on the judiciary.

Messrs. Shanley, Bergen and Worth presented petitions in favor of the passage of the one cent ferriage bill; which were referred to the committee on navigation.

Mr. Hoyt presented a petition of citizens of Deerpark, Orange county, asking for a repeal of the fish laws of 1877, so far as the same runs through the town of Deerpark; which was read and referred to the committee on game laws.

Mr. Speaker presented a petition of the common council of the city of Buffalo in relation to street railroads; which was read and referred to the committee on railroads.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to legalize and confirm the official acts of John L. Smith and Martin W. Noble as commissioners of excise of the town of Bath, in the county of Steuben, and to enable them to qualify as such commissioners," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Brundage, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }
{ NOES 4 }

Those who voted in the affirmative, were

Abbott	Floyd-Jones	Jones	Reynolds
Allen	Flynn	Keegan	Roberts
Alvord	Foster	Kellogg	Rowland
Andrews	Frank	Langner	Searing
Beard	Gilbert	Lowing	Seebacher
Bergen	Grady	Mattison	Sewell
Berrigan	Graham	McDonough	Shanley
Berry	Griggs	Mekeel	Sheldon
Browning	Halliday	S. V. R. Miller	Sutherland
Brundage	Havens	Moller	E. Taylor
Chappell	I. I. Hayes	Neilson	Terry
Chase	Henry	Niven	Thain
Clapp	Hobbie	Parker	Townsley
J. Clark	Holahan	Patterson	Valentine
J. M. Clark	Holbrook	D. C. Peck	Wemple
Converse	Hoyt	Peek	Willers
Cosad	Hulme	Pool	Williams
Curran	Hurd	Prescott	Willis
Fitzgerald			

Those who voted in the negative, were

Piper	Skinner	Thomson	Winch
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

By unanimous consent,

Mr Thain introduced a bill entitled "An act to open the college of the city of New York to all male persons who shall pass the preliminary examinations for admission therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to authorize the Comptroller to compromise and settle old judgments and contract debts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Leave of absence was granted to Mr. Mead, until Wednesday next.

Mr. Roberts offered for the consideration of the House a resolution, in the words following:

Resolved, That the Auditor of the Canal Department be requested to report to this House the total expense of maintaining the Black River canal for the past year, commencing October 1, 1876 to September 30, 1877.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

Whereas, An error occurred in the report of the committee on expenditures of the House, made January, 30 inst., in reference to the appointment of clerks to the apportionment committee, leaving off the preamble required by law ; therefore,

Resolved, That the following preamble be added to said report, to date from Wednesday, January 30 : "*Whereas*, The committee on apportionment will require a large amount of clerical and computation work and labor in the discharge of their duties, and will need, therefor the aid of clerks ; therefore."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Kern offered for the consideration of the House a resolution, in the words following :

Resolved, That the Albany Hudson River Bridge Company have ten days additional time in which to comply with the resolution of this House, asking for information in regard to the amount and extent of the business over and across their said bridge at Albany.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Halliday offered for the consideration of the House a resolution, in the words following :

Whereas, Reports have been for some time past current that large sums have been collected from life insurance companies in this State by the Insurance Department, under the form of bills for the examination of the affairs of said companies ; and

Whereas, The statutes of the State require that all bills for expenses in the examination of said companies shall be presented to the Comptroller in an itemized form, and by him audited before presentation to the said companies ; and

Whereas, The presentation of such bills to the insurance companies before being audited by the Comptroller is in direct violation of the laws of the State ; therefore,

Resolved, That the Comptroller of the State be, and he is hereby requested to report to this House within ten days, whether such bills for expenses and examinations have been presented to him for audit and approval, together with the amount thereof, and the companies against which such bills were charged, since the first day of January, 1877. Also, whether he has any knowledge of any bills for expenses incurred by attorneys and appraisers or commissioners designated by the Insurance Department to perform any duties in the matter of the examination of the New York Life, the Manhattan, the Metropolitan, the Homœopathic, the Universal and the Globe insurance companies, having been presented by that department direct to the companies examined, without having been first submitted to him for his audit and approval, together with any other facts or information which he may possess bearing upon the subject matter of this inquiry.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Bergen offered for the consideration of the House a resolution, in the words following :

Resolved, That 1,000 copies of the Codes of Civil and Criminal Procedure, reported to the Legislature in 1850, as complete, be printed for the use of the Legislature and for distribution.

Ordered, That said resolution be referred to the committee on public printing.

The Senate bill entitled "An act in relation to the powers and duties of the State Commissioner in Lunacy," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

} AYES 11 }
} NOES 56 }

Those who voted in the affirmative, were

Abbott	J. Hayes	Patterson	Shanley
Grady	Jones	Prescott	Townsley
Graham	Niven	Seebacher	

Those who voted in the negative, were

Allen	Hobbie	Parker	Skinner
Alvord	Holbrook	Pattengill	Story
Andrews	Hoyt	C. C. Peck	Sutherland
Beard	Hurd	D. C. Peck	E. Taylor
Berry	Keator	Peek	Terry
Chase	Kellogg	Piper	Thain
J. M. Clark	Lowing	Proper	Thomson
Cormack	Mapes	Reynolds	Valentine
Cosad	Mattison	Roberts	Wadsworth
Curran	S. V. R. Miller	Sawyer	Waring
Foster	Mooers	Searing	Wheeler
Halliday	North	Sewell	Willers
Hamilton	Noyes	Sheard	Willis
Havens	Palmer	Sheldon	Worth

On motion of Mr. Alvord, at 1 o'clock and 40 minutes, the House adjourned.

FRIDAY, FEBRUARY 8, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Thos. Kelley.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" which was read the first time, and by unanimous consent was also read the second time.

Mr. Sheard moved to refer said bill to the committee on trade and manufactures.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

"An act to provide compensation for expert witnesses in criminal cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate returned the concurrent resolution relative to the printing of the annual report of the managers of the New York State Lunatic Asylum, with a message informing that they had concurred in the Assembly amendments thereto.

The Senate returned the concurrent resolution relative to the printing of the annual report of the Superintendent of the Insurance Department, with a message informing that they had concurred in the passage of the same.

The Senate returned the concurrent resolution relative to the printing of the annual report of the Canal Commissioners, with a message informing that they had concurred in the Assembly amendments thereto.

The Senate returned the concurrent resolution relative to the printing of the annual report of the Superintendent of Public Instruction for 1878; also, the eleventh annual report of the New York Institution for the Improved Instruction of Deaf Mutes, with a message informing that they had concurred in the passage of the same.

Mr. Speaker presented a communication from the State Board of Charities in relation to the chronic insane of Clinton county; which was laid on the table and ordered printed.

(See Doc. No. 44.)

Mr. Alvord moved to reconsider the vote by which the Senate bill entitled "An act in relation to the powers and duties of the State Commissioner in Lunacy," was lost, and that that motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the affirmative.

Mr. Peck introduced a bill entitled "An act supplemental to an act entitled 'An act to vest certain lands belonging to the people of the State in the trustees of school district No. 23, in Johnstown,' passed April 16, 1827," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Fish introduced a bill entitled "An act to prevent the use of incendiary language," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hepburn introduced a bill entitled "An act to amend chapter 150 of the Laws of 1837, entitled 'An act authorizing the loan of certain moneys belonging to the United States deposited with the State of New York for safe keeping,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Clark introduced a bill entitled "An act to legalize and confirm the acts of the officers of the Dundee Union Agricultural Society, and to provide for the election of officers for the same," which was read the first time, and by unanimous consent was also read the second time, when,

On motion of Mr. Clark, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Abbott	Crowley	Keegan	Purdy
Allen	Curran	Kellogg	Reynolds
Alvord	Daly	Langner	Sawyer
Andrews	Deyoe	Lowing	Searing
Astor	Fish	Mapes	Seebacher
Beard	Fitzgerald	Mekeel	Sheldon
Berrigan	Floyd-Jones	S. V. R. Miller	Skinner
Berry	Flynn	Mooers	Sutherland
Bouck	Galvin	Niven	E. Taylor
Browning	Grady	North	Thain
Brundage	Graham	Noyes	Thomson
Case	Havens	Parker	Townsend
Chappell	Henry	Pattengill	Valentine
Chase	Hobbie	Patterson	Wadsworth
Clapp	Holahan	C. C. Peck	Waring
J. M. Clark	Hoyt	D. C. Peck	Wemple
Converse	Hulme	Peck	Wilbor
Cormack	Hurd	Piper	Williams
Cosad	Jones	Prescott	Willis
Crandall	Keator	Proper	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Beard, Int. No. 260, entitled "An act to authorize the city of Elmira to issue bonds for the payment of certain other bonds of said city falling due on or before November 1, 1878," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Willers, Int. No. 162, entitled "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe keeping, and the duties of the State Commissioner in Lunacy,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was recommitted the bill introduced by Mr. Alvord, Int. No. 225, entitled "An act making appropriations for the support of government," retaining its place on general orders, reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Alvord, said bill was ordered printed and placed on the files of members.

Mr. Alvord moved that said bill be made a special order for Tuesday morning next immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said

motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Case, Int. No. 203, entitled "An act in relation to the bonded indebtedness of villages, cities, town and counties," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Hepburn, Int. No. 184, entitled "An act further to amend section 2, title 2 of chapter 13 of part 1 of the Revised Statutes, entitled 'Of the assessment and collection of taxes,' and to amend chapter 427 of the Laws of 1855, entitled 'An act in relation to the collection of taxes on the lands of non-residents and to provide for the sale of such lands for unpaid taxes,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Lowing, Int. No. 163, entitled "An act to repeal section 4 of chapter 721, Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' and section 29 of chapter 436, Laws of 1873, amending the same, so far as they relate to Silver lake, in the county of Wyoming," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to amend chapter 473 of the Laws of 1877, entitled 'An act to provide for the determination and payment of claims for goods, merchandise and materials furnished and labor performed in fitting up and furnishing armories and drill-rooms in the city of New York,'" reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Daly Int. No. 60, entitled "An act to amend an act to provide for a uniform system for the repavement of the streets, avenues and public places in the city of New York," passed May 28, 1875, reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

(Mr. Holahan dissented.)

Mr. Fish, from the committee on affairs of cities, to which was recommended the bill introduced by Mr. I. L. Hayes, Int. No. 85, entitled "An act relating to the coroners of the city and county of New York, their duties and compensation," (retaining its place), reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Daly, Int. No. 59, entitled "An act to amend chapter 477 of the Laws of 1875, entitled 'An act to amend an act entitled An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871; and also an act to re-enact and amend the same, passed April 6, 1871; also to extend the distribution of Croton water through the city of New York, including the two new wards, and to lay the necessary mains therefor, and to deliver it at a higher elevation, passed May 28, 1876," reported in favor

of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Mr. Holohan dissented.)

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Seebacher, Int. No. 216, entitled "An act to authorize the commissioners of the sinking fund of the city and county of New York, to convey certain lands to the Home for Aged and Infirm Hebrews of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish moved that the bill entitled "An act relating to the coroners of the city and county of New York, their duties and compensation," be reprinted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Thomson, Int. No. 197, entitled "An act in relation to encroachments upon public highways," reported adversely thereto, which report was agreed to.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Wadsworth, Int. No. 236, entitled "An act to repeal chapter 388 of the Laws of 1837, entitled 'An act to incorporate the Leicester Bridge Company,'" reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to repeal chapter 388 of the Laws of 1837, entitled 'An act to incorporate the Leicester Bridge Company,' passed May 11, 1837," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Peck, from the committee on public education, to which was referred the bill introduced by Mr. McDonough, Int. No. 46, entitled "An act to amend chapter 386 of the Laws of 1851, entitled 'An act to amend, consolidate and reduce to one act the various acts relative to common schools of the city of New York,' passed July 30, 1851, and the several acts amendatory thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Seebacher introduced a bill entitled "An act providing for truant officers in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Crowley introduced a bill entitled "An act for the relief of Bridget Malone," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Terry, from the committee on privileges and elections, presented the following :

To the Honorable the Assembly :

Your Committee on Privileges and Elections, to which was referred the petition of Fordham Morris, claiming the seat in the Assembly now held and occupied by Ambrose H. Purdy as member of Assembly for the first Assembly district of the county of Westchester, respectfully report :

That the parties and their counsel have appeared before the committee and have all been heard ; that upon the investigations before your com-

mittee it was first discovered that the return from the first election district of the city and town of Yonkers, as originally returned by the inspectors of election of that district to the county canvassers, showed that the whole number of votes cast in that election district for member of Assembly was five hundred and six, which were stated in said return, as follows :

Ambrose H. Purdy received three hundred and eight.....	308
Fordham Morris received one hundred and eight	198
	<hr/>
	506

That said return had no ballots attached to it as required by statute, that the board of county canvassers of Westchester county, after effecting their organization, caused this return to be taken back to the inspectors of election of that district, as provided by statute, for correction; that thereupon the inspectors attached to a sheet of paper the specimen ballots so required by statute, and wrote and made return, partly upon said ballots and partly upon said paper, with reference to member of Assembly; that Ambrose H. Purdy received three hundred and eight votes, like the one so attached, and that Fordham Morris received one hundred and ninety-eight votes, like the one attached, which paper they certified by their signatures as inspectors, and attached to the original return as a part of the same, which original return was then returned to the board of county canvassers, and the vote of that election district was canvassed by them, by giving Mr. Purdy three hundred and eight votes and Mr. Morris one hundred and ninety-eight.

Your committee, Mr. Piper only dissenting, are of the opinion that the return from the first election district of the city and town of Yonkers, was properly canvassed by the county canvassers, by counting three hundred and eight votes for Mr. Purdy and one hundred and ninety-eight votes for Mr. Morris.

Your committee required to be produced before them the original returns of the inspectors of election from each of the election districts in the first Assembly district of the county of Westchester. It was conceded by both parties that the board of county canvassers correctly canvassed and estimated the vote as to member of Assembly in each election district, except the sixth and eighth districts in the Twenty-third ward of the city of New York, and the first district of the city and town of Yonkers.

It appears from the evidence before your committee, that the whole number of votes cast for member of Assembly in this Assembly district was seven thousand two hundred and twenty-two; that the board of county canvassers, in the canvass of said vote, gave to Ambrose H. Purdy thirty-six hundred votes, and to Fordham Morris thirty-five hundred and eighty-eight votes, leaving thirty-four votes which were counted for neither in the final canvass, but which appeared by the returns to have been returned to the county canvassers as follows :

In the sixth election district of the Twenty-third ward :	
Fordham H. Morris.....	1
Fordham Morris, irregular.....	19
In the eighth election district of the Twenty-third ward :	
Fordham Morris.....	13
Ambrose H. Purdy.....	1
	<hr/>
Total.....	34

That the nineteen votes returned from the sixth election district "irregular," and not counted for Fordham Morris, were, as appears, returned and not counted for Mr. Morris by the county canvassers, for the reason that the words "of the county of Westchester" were not at the head of the ballot, the same being upon all the other ballots in that election district; that the thirteen votes returned from the eighth election district of the Twenty-third ward, and not counted for Mr. Morris, were rejected for the same reason; and it also appears that in this district one vote was not counted for Ambrose H. Purdy for the same reason.

Your committee are unanimously of the opinion that the words "of the county of Westchester" so omitted from the head of the said ballots were not required as a portion thereof by any law of this State, and that the ballots were complete without them, and that it was the duty of the inspectors of election of the said sixth and eighth districts to have counted and returned the said nineteen and thirteen ballots for Fordham Morris and the said one ballot for Ambrose H. Purdy, and that it was the duty of the board of county canvassers of Westchester county to have counted and estimated the said ballots for Mr. Morris and Mr. Purdy respectively.

If a correct canvass of the whole vote had thus been made, it would have resulted as follows:

Fordham Morris.....	3,620
Ambrose H. Purdy	3,601
Fordham H. Morris.....	1
Total.....	<u><u>7,222</u></u>

And that therefore, the certificate of election should have been awarded by the board of county canvassers to Fordham Morris.

On the part of Mr. Purdy it is insisted, that there were frauds and irregularities in the election in different districts, which he claims he can prove, and by which he asserts he can establish that he was in fact elected.

It is entirely just and proper that Mr. Purdy should be allowed to present any testimony he may have bearing upon the question of his election, and that he should be awarded the seat if he shall be able to prove that he is entitled to it. But it appears to your committee equally just and clear, upon the plainest principles of justice and equity, that Mr. Morris should be awarded his seat, at this time of which he is deprived, by a palpable violation of law and duty; and that Mr. Purdy should be placed in the same position that he would have been in had the county canvassers observed the law and performed their duty.

Your committee therefore report and recommend the adoption of the following resolution:

Resolved. That Fordham Morris is entitled to and is hereby awarded the seat in the Assembly now held and occupied by Ambrose H. Purdy as member of Assembly from the first Assembly district of the county of Westchester, and that the said Ambrose H. Purdy be at liberty to contest such seat if he shall desire to do so.

Dated February 8, 1878.

GEO. L. TERRY.
L. B. KERN.
JAMES G. GRAHAM.
O. D. PRESCOTT.
JOSEPH P. STRACK.
HAMILTON FISH, JR.

Messrs. Mekeel, Wheeler, Valentine, Waring, and Conrad presented petitions against modification of excise laws; which were read and referred to the committee on internal affairs.

Mr. Strack presented a petition in favor of modification of the excise laws; which was read and referred to the committee on internal affairs.

Mr. Day presented a petition of the Lincoln Birthday Association; which was read and referred to the committee on ways and means.

Mr. Williams presented a petition of tax-payers of Chautauqua county praying for an amendment to the assessment laws so that personal property may bear a just and fair proportion of the burden of taxation; which was read and referred to the committee on ways and means.

Mr. Terry moved to lay said report on the table and that the same be ordered printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Moller offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk procure the printing of 250 copies of the boarding house list of state officers and members, and officers of the Legislature, 100 to be mounted on board.

Ordered, That said resolution be referred to the committee on expenditures of the House.

The Senate returned the concurrent resolution relative to the printing of the annual report of the Comptroller for 1878; also, the Adjutant General's report; also, the annual report of the Superintendent of State prisons; also, the report of the trustees of the New York Asylum for Idiots; also, the report of the State Engineer and Surveyor on canals; also, the annual report of the Institution for the Instruction of the Deaf and Dumb; also, the annual report of the Western New York Institution for Deaf Mutes; also, the annual report of the Superintendent of the Onondaga salt springs; also, the report of the trustees of the Willard Asylum for the Insane at Ovid; also, the report of the State Homœopathic Asylum for the Insane at Middletown; also, the annual financial report of the Auditor of the Canal Department; also, the printing and distribution of the New York Civil List; with a message informing that they had concurred in the passage of the same, without amendment.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a bill entitled as follows:

"An act to authorize the transfer to the State of the Soldiers' Home, and the appointment of a board of trustees for its completion and control," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Prescott offered for the consideration of the House a resolution, in the words following:

Resolved, That 1,000 extra copies of the annual report of the Central New York Institute for Deaf Mutes be printed for the use of said institute to be bound in paper covers.

Ordered, That said resolutions be referred to the committee on public printing.

Mr. Chappell offered for the consideration of the House a resolution, in the words following:

Resolved, That 500 copies of the bill entitled "An act to regulate the assessment and taxation of all the property in the State," and referred

to the committee on ways and means, be printed for the use of the members of this House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hobbie offered for the consideration of the House a resolution, in the words following :

Resolved, That the Secretary of State be authorized to furnish to each reporter and the officers of the House, three copies of the Census Reports of 1875.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Skinner offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That section 6 of article 10 of the Constitution, be amended so as to read as follows :

§ 6. The political year and legislative term shall begin on the first day of January, and the Legislature shall, every second year, assemble on the second Tuesday in January, unless a different day shall be appointed by the law.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The Senate bill entitled "An act to provide for the appointment and compensation of deputies and clerks in the Attorney-General's office;" being announced for a third reading, Mr. Kern moved that said bill be recommitted to the committee on ways and means with instructions to amend the same by inserting at the end of section 1 the following: "No counsel shall be appointed by the Attorney-General or be designated by any courts to prosecute or defend any action, civil or criminal, or proceeding in behalf of the State, unless the Attorney-General and his deputies are at such time actually engaged in the trial or argument of a cause in behalf of the State, nor unless the Governor shall direct in writing such appointment or designation," and report forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord, from the committee on ways and means, reported back said bill, amended, as instructed by the House.

Said bill as amended was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 1 }

Those who voted in the affirmative, were

Abbott	Douglass	Kern	Proper
Allen	Fitzgerald	King	Reynolds
Alvord	Floyd-Jones	Langner	Roberts
Andrews	Flynn	Mattison	Sawyer
Astor	Foster	McDonough	Searing
Baker	Frank	Mekeel	Shanley
Beard	Galvin	Moller	Sheard

Berry	Grady	Mooers	Sheldon
Bouck	Graham	Meyenborg	Skinner
Browning	Griggs	Neilson	Strack
Brundage	Halliday	Niven	Sutherland
Case	Havens	North	Terry
Chappell	I. I. Hayes	Noyes	Thain
Chase	J. Hayes	Palmer	Thomson
J. M. Clark	Henry	Parker	Townsley
Converse	Hepburn	Pattengill	Valentine
Cormack	Hobbie	Patterson	Wadsworth
Cosad	Holahan	C. C. Peck	Waring
Crawford	Holbrook	D. C. Peck	Wemple
Curran	Hoyt	Peck	Wilbor
Daly	Hulme	Piper	Williams
Day	Hurd	Pool	Winch
Deyoe	Jones		

For the negative,

Prescott

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act to amend chapter 102 of the Laws of 1872, entitled 'An act to incorporate the Onondaga County Milk Association,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 80 }
 } NOES 00 }

Those who voted in the affirmative, were

Abbott	Floyd-Jones	Lowing	Proper
Allen	Flynn	Mapes	Reynolds
Alvord	Foster	Mattison	Roberts
Andrews	Frank	Mekeel	Searing
Astor	Grady	Moller	Seebacher
Beard	Halliday	Mooers	Shanley
Berrigan	Havens	Meyenborg	Sheard
Bouck	I. I. Hayes	Niven	Skinner
Browning	J. Hayes	North	Strack
Brundage	Hepburn	Noyes	Sutherland
Case	Hobbie	Palmer	E. Taylor
Chappell	Holahan	Parker	Terry
Chase	Holbrook	Pattengill	Thomson
Clapp	Hoyt	Patterson	Townsley
Converse	Hulme	C. C. Peck	Valentine
Cosad	Jones	D. C. Peck	Wadsworth
Daly	Keegan	Peck	Wilbor
Day	Kern	Piper	Williams
Fish	King	Pool	Willis
Fitzgerald	Langner	Prescott	Winch

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Daly moved that when this House adjourns to-day it adjourn to meet on Monday evening next at eight o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the order of business, "general orders."

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to legalize and confirm the official acts of George E. Van Derburgh, a justice of the peace of the town of Mamaroneck, in the county of Westchester."

"An act to amend the statutes in reference to the collection of taxes in the county of Livingston."

Senate, "An act to authorize the board of education of Fairport union free school, district No. 9 of the town of Perinton, Monroe county, to issue coupon bonds to replace the moneys lost by the district, through the defalcation of its treasurer."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. King, from said committee, reported in favor of the passage of said first mentioned bill, and the same was ordered engrossed for a third reading.

Mr. King, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Wadsworth moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Alvord moved to amend by inserting after the word "Livingston," wherever it occurs, and the word "Oswego" and word "county," the word "counties," and to amend the title by inserting after the word "Livingston" the word "Oswego," said amendments having been offered in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion, as amended, and it was determined in the affirmative.

Mr. King, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to divide the third and seventh wards of the city of Utica and to create the eleventh and twelfth wards therein."

"An act to amend chapter 129 of the Laws of 1872, entitled 'An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy,' passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy."

"An act to extend the powers and privileges of 'The Brooklyn Children's Aid Society.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Moller, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Burns moved to discharge the committee of the whole from the

further consideration of said second named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bill entitled as follows:

Senate, "An act to change the name of the 'American Encaustic Tiling Company' in the certificate for the incorporation of said company and the license issued thereunder."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Mekeel, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Clapp offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk of this House be empowered and instructed to cause the clock on the south side of this chamber to be repaired and put in order.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Searing introduced a bill entitled "An act to amend chapter 150 of the Laws of 1872, entitled 'An act to incorporate the city of Kingston,' passed March 28, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Thain introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Ladies Union Society of the Methodist Episcopal Church in the city of New York,' passed June 19, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

On motion of Mr. Alvord, at 12 o'clock and 40 minutes, the House adjourned.

MONDAY, FEBRUARY 11, 1878.

The House met pursuant to adjournment.

Prayer by Rev. M. Schlesinger.

The journal of Friday, February 8, was read and approved.

The privileges of the floor were granted to Hon. William E. Robinson, and also to Hon. Mr. Brockett.

The Senate sent for concurrence the bills entitled as follows:

"An act relative to evidence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 199 of the Laws of 1851, entitled 'An act to incorporate the University of Albany,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Curran introduced a bill entitled "An act to repeal chapter 471 of the Laws of 1877, entitled 'An act to provide for the appointment of patrolmen in and for the first collection district of the town of Watervliet, in the county of Albany,' passed June 16, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Allen introduced a bill entitled "An act to provide for the election of supervisors in the several towns of Erie county biennially," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also introduced a bill entitled "An act to reduce the number comprising the board of education of Gowanda Union Free School district No. 1, composed of parts of the towns of Persia and Perryburgh, in Cattaraugus county, and of a part of the town of Collins, in Erie county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Alvord introduced a bill entitled "An act to abolish the office of Auditor of the Canal Department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, a bill entitled "An act relating to the State survey, and making appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a bill entitled "An act in relation to infectious and contagious diseases of animals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Graham introduced a bill entitled "An act defining the duties of receivers of insolvent life insurance companies, and regulating the distribution of the assets of such companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, a bill entitled "An act in relation to life and fire insurance companies, associations or partnerships, incorporated by, or organized under, the laws of any other State of the United States or foreign government, doing business in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Mattison introduced a bill entitled "An act to require incorporated companies and joint-stock associations in this State to make annually an exhibit of the condition and business of such corporation or company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. North introduced a bill entitled "An act to repeal so much of chapter 127 of the Laws of 1877, entitled 'An act to amend and make additions to chapter 463 of the Laws of 1860, entitled An act to revise the charter of the city of Oswego, and the acts amendatory thereof, passed April, 14, 1877,' as relates to the board of commissioners of public works of the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cosad offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee on insurance be relieved from the further consideration of the bill taxing life, fire, and marine insurance companies, and that the same be referred to the committee of the whole for its consideration.

Debate arising thereon,

Ordered, That said resolution be laid on the table.

Messrs. J. H. Miller, Fish, Thomson, and Peek presented petitions against any modification of the excise laws; which were read and referred to the committee on internal affairs.

The Senate returned the following entitled bills, with a message that they had concurred in the amendments of the Assembly thereto:

“An act in relation to field books, surveys, maps, official papers, reports, and records in the office of the State Engineer and Surveyor.”

“An act to authorize the town of Richfield, in the county of Otsego, to refund its funded debt.”

Ordered, That the Clerk return said bills to the Senate.

Mr. Speaker announced, as the next order of business, general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

“An act to amend chapter 291 of the Laws of 1870, entitled ‘An act for the incorporation of villages.’”

“An act to amend chapter 881 of the Laws of 1869, entitled ‘An act to amend an act entitled An act to amend an act entitled An act to incorporate the village of Port Byron,’ passed March 28, 1855.”

“An act to divide the Third and Seventh wards of the city of Utica, and to create the Eleventh and Twelfth wards therein.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Case, from said committee, reported progress on the first and last named bills, and asked and obtained leave to sit again.

Mr. Clapp moved that the committee of the whole be discharged from the further consideration of the first named bill, and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Case, from the same committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Alvord moved that the Senate bill entitled “An act to legalize the official acts of the First Congregational Society of the city of Schenectady, and the official acts of the trustees of the said society,” be recommitted to the committee on charitable and religious societies, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Astor moved that the Assembly bill entitled “An act to provide against the use of unsuitable and dangerous telegraph poles in cities of this State,” be recommitted to the committee on affairs of cities, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

“An act to repeal an act entitled ‘An act relative to paving streets and constructing sewers in the village of West Troy,’ passed March 10, 1873.”

"An act to amend chapter 465 of the Laws of 1875, entitled 'An act to require the payment of certain premiums to the fire departments of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York, but doing business therein,' passed May 28, 1875."

"An act establishing a ferry from Foot's Point, in the town of Crown Point, county of Essex, across Lake Champlain to Port Franklin, so called, in the town of Bridgeport, State of Vermont."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. E. Taylor, from said committee, reported in favor of the passage of the first two named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. E. Taylor, from the same committee, also reported in favor of the passage of the last named bill; when,

On motion of Mr. Clapp, and by unanimous consent, the report of the committee was amended by adding, as a new section, the following:

"§ 6. This act shall take effect immediately."

Said bill, as amended, was then ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the commissioners of the sinking fund of the city and county of New York to convey certain lands to the Home for Aged and Infirm Hebrews of New York."

"An act to repeal section 4, of chapter 721, Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' and section 29 of said act, as amended by section 1 of chapter 436, Laws of 1873, so far as they relate to Silver lake, in the county of Wyoming."

"An act in relation to the bonded indebtedness of villages, cities, towns, and counties."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Winch, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Winch, from the same committee, also reported progress on the second named bill, and asked leave to sit again.

Mr. Alvord moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to the committee on game laws.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Winch, from the same committee, also reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act to repeal chapter 388 of the Laws of 1837, entitled 'An act to incorporate the Leicester Bridge Company, passed May 11, 1837.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wilbor, from said committee, reported in favor of the passage of said named bill, which report was agreed to, and the same ordered engrossed for a third reading.

On motion of Mr. Alvord, and at 9 o'clock and 15 minutes, the House adjourned.

TUESDAY, FEBRUARY 12, 1878.

The House met pursuant to adjournment.

Prayer by Rev. M. Schlesinger.

The journal of yesterday was read and approved.

On motion of Mr. Chappell, and by unanimous consent, the bill entitled "An act to regulate the assessment and taxation of all the property in the State," was ordered printed.

Mr. Speaker announced the special order of the day, being the bill entitled "An act making appropriations for the support of government."

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act making appropriations for the support of government."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Skinner, from said committee, reported in favor of the passage of said named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

On motion of Mr. Alvord, and by unanimous consent, the bill entitled "An act making appropriations for the support of government," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 92. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	I. I. HAYES	MOLLER	SEWELL
ALLEN	CROWLEY	J. HAYES	MOOERS	SHANLEY
ALVORD	CURRAN	HENRY	MEYENBORG	SHEARD
ASTOR	DALY	HEPBURN	NEILSON	SKINNER
BEARD	DAY	HOBBIE	NELSON	SLITER
BERGEN	DEYOE	HOLAHAN	NIVEN	SPEAKER
BERRIGAN	DOUGLASS	HOYT	NORTH	STORY
BERRY	FISH	HULME	NOYES	SUTHERLAND
BOUCK	FITZGERALD	HURD	PALMER	E. TAYLOR
BROWNING	FLOYD-JONES	JONES	PATTENGILL	TERRY
BRUNDAGE	FLYNN	KING	CICERO C. PECK	THOMSON
CASE	FOSTER	LOVELAND	PEEK	TOWNSLEY
CHAPPELL	FRANK	LOWING	POOL	VALENTINE
CLAPP	GALVIN	MAPES	PRESCOTT	WADSWORTH
J. CLARK	GRADY	MATTISON	REYNOLDS	WILBOR
J. M. CLARK	GRAHAM	MCDONOUGH	ROBERTS	WILLIAMS
CONVERSE	HALLIDAY	MEKEEL	ROWLAND	WILLIS
COSAD	HAMILTON	J. H. MILLER	SEARING	WORTH
CRANDALL	HAVENS			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Hurd introduced a bill entitled "An act to amend an act entitled 'An act to make the office of supervisor in the county of Erie a salaried office, and to provide for the appointment and compensation of other officers of said board,' passed May 13, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Hurd introduced a bill entitled "An act relating to pipe-line companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hurd moved that said bill be ordered printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented, from the Canal Department, the Annual Report on the Tolls, Trade and Tonnage of the Canals for the year 1877; which was laid on the table and ordered printed.

(See Doc. No. 56.)

The Senate sent for concurrence the bill entitled as follows:

"An act to authorize the village of Richfield Springs, in the county of Otsego, to refund its funded debt," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate returned the bill entitled "An act to amend chapter 516 of the Laws of 1867, entitled 'An act for the further protection of female employes in the city of New York,' passed April 22, 1867," with a message that they had passed the same, with the following amendments:

Section 1, lines 4 and 5, strike out the words "passed April twenty-second, eighteen hundred and sixty-seven."

Strike out all of section 2.

Change "section 3" to "section 2," and "section 4" to section 3."

Amend the title by striking out the words "passed April twenty-second, eighteen hundred and sixty-seven."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the negative, three-fifths of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 48.

NOES 46.

Those who voted in the affirmative, were

ALVORD	DALY	HALLIDAY	LANGNER	SEEBACHER
ASTOR	DOUGLASS	HAVENS	LOVELAND	SHANLEY
BERGEN	FISH	I. I. HAYES	LOWING	SKINNER
BERRIGAN	FITZGERALD	HENRY	MCDONOUGH	STORY
BOUCK	FLOYD-JONES	HEPBURN	MEKEEL	SUTHERLAND
BRUNDAGE	FOSTER	HOLAHAN	MOERS	WADSWORTH
CHASE	FRANK	JONES	NIVEN	WILLIAMS
J. M. CLARK	GALVIN	KEEGAN	POOL	WILLIS
CRANDALL	GRADY	KELLOGG	PRESCOTT	WORTH
CURRAN	GRIGGS	KING		

Those who voted in the negative, were

ABBOTT	DAY	MATTISON	PATTENGILL	SHEARD
BEARD	DEYOE	J. H. MILLER	CICERO C. PECK	SLITER
BERRY	FLYNN	S. V. R. MILLER	PEEK	E. TAYLOR
BROWNING	HAMILTON	MEYENBORG	PROPER	TERRY
CHAPPELL	HOBBIIE	NEILSON	REYNOLDS	THOMSON
CLAPP	HOYT	NELSON	ROBERTS	TOWNSLEY
J. CLARK	HULME	NORTH	ROWLAND	VALENTINE
CONVERSE	KEATOR	NOYES	SAWYER	WILBOR
COSAD	MAPES	PALMER	SEARING	WINCH
CRAWFORD				

When the name of Mr. Converse was called, he asked to be, and was not, excused from voting.

Mr. Alvord moved that a committee of conference be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee Messrs. Seebacher, Nelson, Chappell, Peek, J. H. Miller.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon.

On motion of Mr. I. I. Hayes, the privileges of the floor were granted to Hon. R. H. Strahan, former member of the House.

This being the day assigned, under the rule, for the consideration of general orders,

Mr. Speaker announced, as the next order of business, general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to legalize the proceedings of the Livingston Town Insurance Company in the county of Columbia."

"An act making an appropriation to pay certain awards made by the Canal Appraisers, and to pay counsel employed in behalf of the State."

"An act relating to the coroners of the city and county of New York, their duties and compensation."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Shanley, from said committee, reported in favor of the passage of the first and last named bills, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Shanley, from the same committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Leave of absence was granted to Mr. Willers.

On motion of Mr. Alvord, and at 2 o'clock, the House adjourned.

WEDNESDAY, FEBRUARY 13, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Thompson.

The journal of yesterday was read and approved.

The Senate returned the concurrent resolution relative to rates of tolls on the canals for the year 1878.

The Senate sent for concurrence the bills entitled as follows:

"An act for the relief of Abel Cook," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 30 of the Laws of 1873, entitled 'An act to create a board of charities in and for the city of Utica,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned the bill entitled "An act to amend chapter 129 of the Laws of 1856, entitled 'An act in relation to School district No. 6, in the town of Lyons, Wayne county,' passed April 7, 1856, and the several acts amendatory thereof," with a message that they had passed the same with the following amendments:

Section 1, strike out all after the word "county," in line 5, down to and including the word "six," in line 6.

Amend the title so as to read: "An act to amend chapter 129 of the Laws of 1856, entitled 'An act in relation to School district No. 6, in the town of Lyons, Wayne county.'"

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HAVENS	S. V. R. MILLER	SEWELL
ALLEN	COSAD	HENRY	MOERS	SHANLEY
ALVORD	CRANDALL	HOBBIE	MEYENBORG	SHELDON
ASTOR	CRAWFORD	HOLAHAN	NEILSON	SKINNER
BERGEN	CROWLEY	HOYT	NIVEN	SLITER
BERRIGAN	DAY	HURD	NOYES	TERRY
BERRY	DEYOE	JONES	PARKER	THOMSON
BOUCK	FISH	KEATOR	PATTENGILL	TOWNSLEY
BROOKS	FLOYD-JONES	KEEGAN	PATTERSON	VALENTINE
BRUNDAGE	FLYNN	KERN	DEWITT C. PECK	WADSWORTH
CHAPPELL	FOSTER	KING	PEEK	WEMPLE
CHASE	GALVIN	LANGNER	POOL	WILLERS
CLANCY	GILBERT	LOWING	PRESCOTT	WILLIAMS
CLAPP	GRADY	MATTISON	REYNOLDS	WILLIS
J. CLARK	HALLIDAY	MEAD	SAWYER	WINCH
J. M. CLARK	HAMILTON	J. H. MILLER	SEARING	WORTH

For the negative,

BEARD

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

A message from the Senate was received and read requesting the concurrence of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That 1,500 copies of the Annual Report of the Treasurer of the State of New York be printed; 500 copies for the use of the Treasurer's office, and 1,000 copies for the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

The Senate returned the bill entitled "An act to provide for the appointment and compensation of deputies and clerks in the Attorney-General's office, with a message that they do non-concur in the Assembly amendments thereto, and have appointed as a conference committee on the part of the Senate, Messrs. Robertson, Jones and Hicks, and request a like committee on the part of the Assembly.

Mr. Alvord moved that a committee of conference be appointed on the part of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Alvord, Graham, Kern, Halliday and Kellogg.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon.

Mr. Gilbert introduced a bill entitled "An act to prohibit the defense of usury by or against executors and administrators," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Peek introduced a bill entitled "An act to amend chapter 505 of the Laws of 1873, entitled 'An act to reorganize the village of Gloversville, passed May 14, 1873,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Worth introduced a bill entitled "An act in relation to the regrading and paving of Grand street, from Union avenue to Bushwick avenue, in the city of Brooklyn, with Belgian pavement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Henry introduced a bill entitled "An act regulating the rate of compensation to be paid to railroad companies for the transporting of milk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Douglass introduced a bill entitled "An act to amend chapter 465 of the Laws of 1875, entitled 'An act to require the payment of certain premiums to the fire department of cities and incorporated villages by insurance companies not organized under the laws of the State of New York, but doing business therein,' passed May 28, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, a bill entitled "An act to regulate the quality, supply and price of illuminating gas in the cities of New York and Brooklyn, and for the protection of manufacturers and consumers thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Crandall introduced a bill entitled "An act to enlarge the boundaries of the village of Cazenovia, by including within its limits the whole of Cazenovia lake below high-water mark," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on villages.

Mr. Grady introduced a bill entitled "An act to amend chapter 176 of the Laws of 1831, entitled 'An act incorporating the University of the City of New York,' passed April 18, 1831," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Fitzgerald introduced a bill entitled "An act in relation to arrears of taxes and assessments in the city of New York, and to provide for the reissuing of revenue bonds in anticipation of such taxes and assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, an act to amend section 15 of chapter 579 of the Laws of 1853, entitled 'An act to simplify the manner of collecting arrears of taxes, assessments, and regular rents of Croton water in the city and county of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Accompanied by a petition on the same subject.

Mr. Alvord introduced a bill entitled "An act to establish, govern, and manage the New York State Home for the Blind," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on state charitable institutions.

Mr. Pattengill introduced a bill entitled "An act to provide for the election of supervisors in the several towns in Otsego county biennially," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Brooks introduced a bill entitled "An act to amend 'An act to authorize the formation of railroad corporations, and to regulate the same, passed April 2, 1850,' with the amendments thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, a bill entitled "An act authorizing the Staten Island and New Jersey Suspension Bridge and Railroad Company to change its corporate name, and extending the time for the commencement of work by said corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Nelson introduced a bill entitled "An act to reduce the salaries of the recorder, city judge, and judge of the court of sessions in the city of New York hereafter to be appointed or elected," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Rowland introduced a bill entitled "An act to repeal chapter 577 of the Laws of 1864, entitled 'An act to provide for the promotion of public health and for draining and reclaiming overflowed and wet lands adjoining Black river and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburgh, and all the acts amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Sutherland introduced a bill entitled "An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes,' passed May 8, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, a bill entitled "An act to amend chapter 125 of the Laws of 1870, entitled 'An act to amend section 103 of article 5 of title 1 of chapter 16, of the first part of the Revised Statutes, relative to highways and bridges,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Havens introduced a bill entitled "An act in relation to the disposition and application of moneys raised and collected in the towns of this State, for highway and bridge purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, a bill entitled "An act to amend clause first of section fifth of the act entitled 'An act to amend the Revised Statutes in relation to summary proceedings to recover possession of land,' passed April 3, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. J. M. Clark introduced a bill entitled "An act defining vagrancy, and providing for the arrest and punishment of vagrants in the county

of Yates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Thain introduced a bill entitled "An act for the better security of personal liberty," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Case introduced a bill entitled "An act to amend the several acts incorporating the village of Oswego Falls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Prescott introduced a bill entitled "An act to empower Rome Lodge No. 266, of the Independent Order of Odd Fellows of the State of New York, city of Rome, and county of Oneida, to hold and convey real and personal estate, and constitute the same a corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Proper introduced a bill entitled "An act to amend section 3 of chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Hurd introduced a bill entitled "An act to render inoperative an act entitled 'An act to amend an act to improve the Cayuga Creek road, in the county of Erie, passed March 29, 1848, passed March 27, 1849,' so far as the same applies to the eastern section of said Cayuga Creek road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Allen introduced a bill entitled "An act confirming the election and official acts of John Kammerer, John S. Shugert, Joseph M. Congden, George L. Vosburgh, and Jacob Gamel as trustees of the village of Gowanda, in the counties of Erie and Cattaraugus, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Berrigan introduced a bill entitled "An act in relation to lottery schemes and tickets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. DeWitt C. Peck presented the Annual Report of the Regents of the University; which was laid upon the table and ordered printed.

(See Doc. No. 58.)

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act to authorize the extension of the time for the collection of taxes in the several towns of this State."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Hepburn, Int. No. 321, entitled "An act to amend chapter 150 of the Laws of 1837, entitled 'An act authorizing the loan of certain moneys belonging to the United States deposited with the State of New York for safe keeping,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was recom-

mitted the bill introduced by Mr. Husted, Int. No. 114, entitled "An act supplemental to the Code of Civil Procedure," reported in favor of the passage of the same, retaining its place on general orders.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bergen, Int. No. 13, entitled "An act to close part of Second street in the village of Parkville, Kings county," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Meyenborg, Int. No. 87, entitled "An act to confirm, reduce, and levy a certain assessment in the city of Brooklyn," reported adversely thereto.

Mr. Meyenborg moved that said report be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Keator, Int. No. 81, entitled "An act in relation to the Kingsbridge road, in the city of New York," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Astor, Int. No. 220, entitled "An act to amend an act relative to the Home for Aged and Indigent Females in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Waring, Int. No. 72, entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. North, Int. No. 291, entitled "An act to repeal section 6 of an act entitled 'An act to amend and make additions to chapter 463 of the Laws of 1860, entitled An act to revise the charter of the city of Oswego, and the act amendatory thereof,' passed May 20, 1876," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Keegan, Int. No. 293, entitled "An act to change the commissioners' map of Long Island City, with respect to the intersection of Vernon avenue with Borden and Jackson avenues, respectively," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill Int. No. 33, entitled "An act to provide for extending the time for the collection of taxes in the city of Hudson," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Keator, Int. No. 200, entitled "An act in relation to the office of railroad commissioners, in Ulster county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was

referred the Senate bill introduced by Mr. Goodwin, Int. No. 10, entitled "An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' " reported in favor of the passage of the same, with an amendment, and the title amended so as to read "An act to amend chapter 820 of the Laws of 1873, entitled 'An act to amend an act entitled An act to suppress intemperance and to regulate the sale of intoxicating liquors,' " which report was agreed to, and said bill was committed to the committee of the whole.

Mr. King, from the committee on public health, to which was referred the bill introduced by Mr. Berrigan, Int. No. 192, entitled "An act for the better preservation of life in hotels in the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Floyd-Jones, Int. No. 287, entitled "An act to amend an act entitled 'An act to amend an act entitled An act to incorporate the American Female Guardian Society, passed April 6, 1849,' passed April 3, 1857," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Marvin, Int. No. 31, entitled "An act to legalize the official acts of the First Congregational Society of the city of Schenectady, and the official acts of the trustees of said society," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. J. F. Pierce, Int. No. 5, entitled "An act to change the name of the Woman's Aid Society and Home for Training Young Girls," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Bergen, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 92.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOYT	NÉILSON	SEARING
ALLEN	DALY	HULME	NIVEN	SEWELL
ANDREWS	DAY	HURD	NORTH	SHEARD
ASTOR	DEYOE	KEATOR	NOYES	SHELDON
BATHE	DOUGLASS	KEEGAN	PALMER	SKINNER
BEARD	FISH	KELLOGG	PARKER	STRACK
BERGEN	FLOYD-JONES	KERN	PATTENGILL	SUTHERLAND
BERRIGAN	FLYNN	KING	PATERSON	E. TAYLOR
BERRY	FOSTER	LOVELAND	CICERO C. PECK	THAIN
BOUCK	GALVIN	LOWING	DEWITT C. PECK	THOMSON
BROOKS	GRADY	MAPES	PEEK	VALENTINE
BRUNDAGE	GRIGGS	MATTISON	PIPER	WADSWORTH
CASE	HAMILTON	MCDONOUGH	POOL	WEMPLE
CHAPPELL	HAVENS	MEKEEL	PRESCOTT	WILBOR

CHASE	I. I. HAYES	J. H. MILLER	PROPER	WILLIAMS
CLANCY	HENRY	S. V. R. MILLER	REYNOLDS	WILLIS
J. CLARK	HEPBURN	MOLLER	ROBERTS	WINCH
J. M. CLARK	HOBBIE	MEYENBERG	ROWLAND	WORTH
CRANDALL	HOLAHAN			

For the negative,

JONES

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

“An act to legalize and confirm the official acts of George E. Van Derburgh, a justice of the peace of the town of Mamaroneck, in the county of Westchester.”

“An act to amend the statutes in reference to the collection of taxes in the counties of Livingston and Oswego.”

“An act to amend chapter 129 of the Laws of 1872, entitled ‘An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy,’ passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy.”

“An act to amend chapter 291 of the Laws of 1870, entitled ‘An act for the incorporation of villages.’”

“An act to amend chapter 881 of the Laws of 1869, entitled ‘An act to amend an act entitled An act to amend an act entitled An act to incorporate the village of Port Byron,’ passed March 28, 1855.”

“An act to repeal an act entitled ‘An act relative to paving streets and constructing sewers in the village of West Troy,’ passed March 10, 1873.”

“An act to amend chapter 465 of the Laws of 1875, entitled ‘An act to require the payment of certain premiums to the fire departments of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York, but doing business therein,’ passed May 28, 1875.”

“An act establishing a ferry from Foot’s Point, in the town of Crown Point, county of Essex, across Lake Champlain to Port Franklin, so called, in the town of Bridgeport, State of Vermont.”

“An act to authorize the commissioners of the sinking fund of the city and county of New York to convey certain lands to the Home for Aged and Infirm Hebrews of New York.”

“An act in relation to the bonded indebtedness of villages, cities, towns, and counties.”

“An act to repeal chapter 388 of the Laws of 1837, entitled ‘An act to incorporate the Leicester Bridge Company,’ passed May 11, 1837.”

Mr. Speaker announced, pursuant to 9th joint rule, as the next order of business, the third reading of bills.

The bill entitled “An act to legalize and confirm the official acts of George E. Van Derburgh, a justice of the peace of the town of Mamaroneck, in the county of Westchester,” was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HAVENS	NORTH	SKINNER
ALLEN	COSAD	I. I. HAYES	PALMER	SPEAKER
ALVORD	CRANDALL	HOBBIE	PATTENGILL	STRACK
ANDREWS	CRAWFORD	HOYT	CICERO C. PECK	SUTHERLAND
ASTOR	CROWLEY	HULME	DEWITT C. PECK	E. TAYLOR
BEARD	DALY	HURD	PEEK	TERRY
BERGEN	DAY	JONES	POOL	THAIN
BERRIGAN	DEYOE	KEATOR	PRESCOTT	THOMSON
BERRY	DOUGLASS	KEEGAN	PURDY	TOWNSLEY
BOUCK	FISH	KELLOGG	REYNOLDS	VALENTINE
BROOKS	FITZGERALD	LOVELAND	ROBERTS	WEMPLE
BROWNING	FLOYD-JONES	MEKEEL	ROWLAND	WHEELER
BRUNDAGE	GALVIN	S. V. R. MILLER	SEARING	WILBOR
CASE	GILBERT	MOLLER	SEEBACHER	WILLERS
CHASE	GRADY	MOOERS	SEWELL	WILLIAMS
CLAPP	GRIGGS	MEYENBORG	SHEARD	WILLIS
J. CLARK	HALLIDAY	NIVEN	SHELDON	WORTH
J. M. CLARK	HAMILTON			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the statutes in reference to the collection of taxes in the counties of Livingston and Oswego," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HAMILTON	NELSON	SEWELL
ALLEN	CONVERSE	HAVENS	NIVEN	SHANLEY
ALVORD	COSAD	I. I. HAYES	NORTH	SKINNER
ANDREWS	CRANDALL	HOBBIE	NOYES	STRACK
ASTOR	CRAWFORD	HOYT	PALMER	SUTHERLAND
BERGEN	CROWLEY	HURD	PARKER	TERRY
BERRIGAN	DALY	JONES	PATTENGILL	THAIN
BERRY	DAY	KEATOR	PATTERSON	THOMSON
BOUCK	DEYOE	KEEGAN	CICERO C. PECK	TOWNSLEY
BROOKS	DOUGLASS	KELLOGG	DEWITT C. PECK	VALENTINE
BROWNING	FISH	KING	PEEK	WADSWORTH
BRUNDAGE	FITZGERALD	LOVELAND	PIPER	WEMPLE
CASE	FLOYD-JONES	LOWING	POOL	WHEELER
CHAPPELL	FOSTER	MATTISON	PRESCOTT	WILLERS
CHASE	GALVIN	MEKEEL	ROBERTS	WILLIAMS
CLAPP	GRADY	MOOERS	SEARING	WILLIS
J. CLARK	GRIGGS	NEILSON		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 129 of the Laws of 1872, entitled 'An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy,' passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HOBBIE	NIVEN	SHEARD
ALLEN	J. M. CLARK	HOYT	NORTH	SHELDON
ALVORD	CONVERSE	JONES	NOYES	SKINNER
ANDRRWS	CRANDALL	KEATOR	PARKER	STORY
ASTOR	CROWLEY	KEEGAN	PATTENGILL	SUTHERLAND
BATHE	DALY	KELLOGG	CICERO C. PECK	E. TAYLOR
BEARD	DAY	KING	PEEK	TERRY
BERGEN	DEYOE	LOVELAND	PIPER	THAIN
BERRIGAN	FLOYD-JONES	LOWING	POOL	THOMSON
BERRY	FOSTER	MEKEEL	PROPER	TOWNSLEY
BOUCK	GALVIN	J. H. MILLER	PURDY	VALENTINE
BROOKS	GILBERT	MOLLER	SAWYER	WADSWORTH
BROWNING	GRADY	MOOERS	SEARING	WEMPLE
BRUNDAGE	GRIGGS	MEYENBORG	SEEBACHER	WHEELER
CHAPPELL	HAMILTON	NEILSON	SEWELL	WILBOR
CHASE	I. I. HAYES	NELSON	SHANLEY	WILLIAMS

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HULME	NOYES	SHEARD
ALVORD	COSAD	JONES	PALMER	SHELDON
ANDREWS	CRANDALL	KEATOR	PARKER	SLITER
ASTOR	CRAWFORD	KEEGAN	PATTENGILL	STORY
BEARD	DALY	KELLOGG	CICERO C. PECK	STRACK
BERGEN	DEYOE	KING	DEWITT C. PECK	SUTHERLAND
BERRIGAN	FLOYD-JONES	LANGNER	PEEK	THAIN
BERRY	FLYNN	LOVELAND	PIPER	THOMSON
BOUCK	FOSTER	MATTISON	POOL	TOWNSLEY
BROOKS	GALVIN	MEAD	PRESCOTT	WARING
BROWNING	GILBERT	MEKEEL	REYNOLDS	WEMPLE
BRUNDAGE	GRADY	J. H. MILLER	ROBERTS	WHEELER
CASE	GRIGGS	S. V. R. MILLER	SAWYER	WILBOR
CHAPPELL	HALLIDAY	MOOERS	SEARING	WILLERS
CHASE	HAMILTON	NEILSON	SEEBACHER	WILLIS
CLAPP	I. I. HAYES	NELSON	SEWELL	WINCH
J. CLARK	HOBBIE	NIVEN	SHANLEY	WORTH
J. M. CLARK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 881 of the Laws of 1869, entitled 'An act to amend an act entitled An act to amend an act entitled An act to incorporate the village of Port Byron,' passed March 28, 1855," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	KERN	PATTERSON	SHELDON
ALVORD	DEYOE	KING	CICERO C. PECK	STORY
ANDREWS	FISH	LANGNER	DEWITT C. PECK	STRACK
ASTOR	FITZGERALD	LOVELAND	PEEK	SUTHERLAND
BEARD	FLOYD-JONES	LOWING	PIPER	E. TAYLOR
BERGEN	GRADY	MATTISON	POOL	THAIN
BERRIGAN	GRIGGS	MEKEEL	PRESCOTT	THOMSON
BERRY	HAMILTON	J. H. MILLER	REYNOLDS	TOWNSLEY
BOUCK	HAVENS	S. V. R. MILLER	ROBERTS	VALENTINE
BROOKS	HOBBIE	MOLLER	ROWLAND	WEMPLE
BRUNDAGE	HOLAHAN	MOOERS	SAWRER	WHEELER
CHAPPELL	HOYT	MEYENBORG	SEARING	WILBOR
CHASE	HURD	NELSON	SEEBACHER	WILLERS
CLAPP	JONES	NIVEN	SEWELL	WILLIAMS
J. CLARK	KEATOR	NOYES	SHANLEY	WILLIS
J. M. CLARK	KEEGAN	PALMER	SHEARD	WINCH
CONVERSE	KELLOGG	PATTENGILL		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal an act entitled 'An act relative to paving streets and constructing sewers in the village of West Troy,' passed March 10, 1873," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOBBIE	MOLLER	SEEBACHER
ALLEN	COSAD	HOLAHAN	MOOERS	SEWELL
ALVORD	CRANDALL	HOYT	NELSON	SHEARD
ANDREWS	CRAWFORD	HULME	NIVEN	SHELDON
BATHE	CROWLEY	HURD	NORTH	SKINNER
BEARD	DALY	JONES	NOYES	SLITER
BERGEN	DEYOE	KEATOR	PARKER	STORY
BERRIGAN	DOUGLASS	KEEGAN	PATTENGILL	STRACK
BERRY	FISH	KELLOGG	PATTERSON	SUTHERLAND
BOUCK	FLOYD-JONES	KING	CICERO C. PECK	TERRY
BRUNDAGE	FLYNN	LANGNER	PEEK	THOMSON
CASE	FOSTER	LOWING	POOL	TOWNSLEY
CHAPPELL	GALVIN	MATTISON	REYNOLDS	VALENTINE
CHASE	GILBERT	MCDONOUGH	ROBERTS	WEMPLE
CLAPP	GRADY	MEAD	ROWLAND	WHEELER
J. CLARK	HAMILTON	MEKEEL	SAWYER	WILBOR
J. M. CLARK	HAVENS	J. H. MILLER	SEARING	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the Assembly bill entitled "An act authorizing the appointment of a person to perform clerical duties, etc., in the Supreme Court in Kings county." with a message that they had concurred in the passage of the same with the following amendment :

Amend the title by striking out the word "etcetera."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HURD	NORTH	SEWELL
ALVORD	CRAWFORD	JONES	NOYES	SHANLEY
ANDREWS	CROWLEY	KEATOR	PARKER	SHEARD
ASTOR	DEYOE	KEEGAN	PATTENGILL	SKINNER
BEARD	FISH	KELLOGG	PATTERSON	SUTHERLAND
BERGEN	FLOYD-JONES	KING	CICERO C. PECK	E. TAYLOR
BERRIGAN	FLYNN	LANGNER	DEWITT C. PECK	TERRY
BERRY	FOSTER	LOVELAND	PEEK	THAIN
BOUCK	GALVIN	LOWING	PIPER	THOMSON
BROOKS	GILBERT	MAPES	POOL	TOWNSLEY
CASE	GRADY	MATTISON	PRESCOTT	VALENTINE
CHAPPELL	GRIGGS	MEAD	PROPER	WEMPLE
CHASE	HAMILTON	MEKEEL	ROBERTS	WILBOR
CLAPP	HAVENS	J. H. MILLER	ROWLAND	WILLERS
J. CLARK	HOBBIE	S. V. R. MILLER	SAWYER	WILLIS
J. M. CLARK	HOLAHAN	MOOERS	SEARING	WINCH
CONVERSE	HULME	NELSON	SEEBACHER	WORTH
COSAD				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The bill entitled "An act to amend chapter 465 of the Laws of 1875, entitled 'An act to require the payment of certain premiums to the fire departments of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York, but doing business therein,' passed May 28, 1875," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passrge of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 1.

Those who voted in the affirmative, were

ALLEN	FLOYD-JONES	KERN	PALMER	SHELDON
ALVORD	FLYNN	KING	PARKER	SKINNER
ANDREWS	GALVIN	LANGNER	PATTENGILL	STRACK
BATHE	GILBERT	LOVELAND	PATTERSON	SUTHERLAND
BEARD	GRADY	LOWING	CICERO C. PECK	E. TAYLOR
BERRIGAN	GRIGGS	MATTISON	DEWITT C. PECK	TERRY
BERRY	HALLIDAY	MEAD	PEEK	THAIN
BOUCK	HAMILTON	MEKEEL	POOL	THOMSON
BRUNDAGE	HENRY	J. H. MILLER	PRESCOTT	TOWNSLEY
CASE	HEPBURN	S. V. R. MILLER	PROPER	VALENTINE
CHAPPELL	HOBBIE	MOLLER	SAWYER	WEMPLE
CHASE	HOYT	MOOERS	SEARING	WILBOR
CONVERSE	HULME	MEYENBORG	SEEBACHER	WILLIAMS
CRAWFORD	JONES	NELSON	SEWELL	WILLIS
CROWLEY	KEATOR	NIVEN	SHANLEY	WINCH
DEYOE	KEEGAN	NORTH	SHEARD	WORTH
FISH	KELLOGG	NOYES		

For the negative,

FOSTER

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act establishing a ferry from Foot's Point, in the town of Crown Point, county of Essex, across Lake Champlain to Port Franklin, so called, in the town of Bridgeport, State of Vermont," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HURD	NOYES	SHELDON
ALLEN	DEYOE	JONES	PALMER	SKINNER
ALVORD	FISH	KEATOR	PARKER	SLITER
ANDREWS	FITZGERALD	KEEGAN	PATTENGILL	STRACK
ASTOR	FLOYD-JONES	KELLOGG	CICERO C. PECK	SUTHERLAND
BEARD	FLYNN	KING	DEWITT C. PECK	E. TAYLOR
BERRIGAN	FOSTER	LANGNER	POOL	TERRY
BERRY	GALVIN	LOVELAND	PROPER	THOMSON
BOUCK	GRIGGS	LOWING	ROBERTS	TOWNSLEY
BRUNDAGE	HALLIDAY	MATTISON	ROWLAND	VALENTINE
CHAPPELL	HAMILTON	J. H. MILLER	SAWYER	WEMPLE
CHASE	HAVENS	S. V. R. MILLER	SEARING	WILBOR
CLAPP	HEPBURN	MOLLER	SEEBACHER	WILLIAMS
J. CLARK	HOBBIE	MOOERS	SEWELL	WILLIS
J. M. CLARK	HOYT	NIVEN	SHANLEY	WINCH
CONVERSE	HULME	NORTH	SHEARD	WORTH
CRAWFORD				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the commissioners of the sinking fund of the city and county of New York to convey certain lands to the Home for Aged and Infirm Hebrews of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 90.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DEYOE	HURD	NORTH	SEWELL
ALLEN	FISH	JONES	NOYES	SHANLEY
ALVORD	FITZGERALD	KEATOR	PALMER	SHELDON
ASTOR	FLOYD-JONES	KELLOGG	PARKER	SKINNER
BEARD	FLYNN	KERN	PATTENGILL	SLITER
BERRIGAN	FOSTER	KING	PATTERSON	STRACK
BERRY	FRANK	LANGNER	CICERO C. PECK	SUTHERLAND
BOUCK	GALVIN	LOVELAND	DEWITT C. PECK	E. TAYLOR
BROWNING	GILBERT	MATTISON	PIPER	TERRY
BRUNDAGE	GRADY	MCDONOUGH	POOL	THAIN
CASE	HALLIDAY	MEAD	PRESCOTT	THOMSON
CHASE	HAMILTON	MEKEEL	PROPER	TOWNSLEY
CLANCY	HAVENS	J. H. MILLER	REYNOLDS	WILBOR
CLAPP	HENRY	MOLLER	ROBERTS	WILLERS
J. CLARK	HEPBURN	MOOERS	ROWLAND	WILLIAMS
CRAWFORD	HOBBIE	MEYENBORG	SAWYER	WILLIS
CROWLEY	HOYT	NELSON	SEARING	WINCH
DALY	HULME	NIVEN	SEEBACHER	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the bonded indebtedness of villages, cities, towns, and counties," having been announced for a third reading,

Mr. Browning moved to recommit the Assembly bill No. 82, entitled

"An act in relation to the bonded indebtedness of villages, cities, towns, and counties," to the committee on ways and means, with instructions to amend as follows :

In line 3, section 5, strike out the words "in gold," and insert in lieu thereof the words "as now provided by law," and report back forthwith.

On motion of Mr. Piper, and by unanimous consent, said bill was amended by adding, after the word "Brooklyn," in line 2, section 6, engrossed bill, the words "provided, however, that none of the provisions of this bill shall apply to the county of Niagara."

On motion of Mr. Searing, and by unanimous consent, said bill was amended by adding, after the word "Niagara," the word "Ulster."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Browning, and it was determined in the negative, as follows :

AYES 30.

NOES 83.

Those who voted in the affirmative, were

BATHE	J. CLARK	FLYNN	JONES	PATTERSON
BEARD	CONVERSE	FOSTER	LOVELAND	PROPER
BERGEN	COSAD	GALVIN	MAPES	ROBERTS
BERRIGAN	CRAWFORD	HAMILTON	MEAD	SEARING
BROWNING	DAY	J. HAYES	MEYENBORG	SHANLEY
BURNS	DOUGLASS	HOBBIE	NELSON	SLITER

Those who voted in the negative, were

ABBOTT	DALY	KEEGAN	PATTENGILL	SUTHERLAND
ALLEN	DEYOE	KELLOGG	DEWITT C. PECK	E. TAYLOR
ALVORD	FISH	KERN	PEEK	TERRY
ANDREWS	FITZGERALD	KING	PIPER	THAIN
ASTOR	FLOYD-JONES	LANGNER	POOL	THOMSON
BERRY	GILBERT	LOWING	PRESCOTT	TOWNSLEY
BOUCK	GRADY	MATTISON	REYNOLDS	VALENTINE
BROOKS	GRIGGS	MCDONOUGH	ROWLAND	WADSWORTH
BRUNDAGE	HALLIDAY	MEKEEL	SAWYER	WARING
CASE	HAVENS	J. H. MILLER	SEEBACHER	WEMPLE
CHAPPELL	I. I. HAYES	S. V. R. MILLER	SEWELL	WILBOR
CHASE	HEPBURN	MOOERS	SHEARD	WILLERS
CLANCY	HOLAHAN	NIVEN	SHELDON	WILLIAMS
CLAPP	HOYT	NORTH	SKINNER	WILLIS
J. M. CLARK	HULME	NOYES	STORY	WINCH
CRANDALL	HURD	PALMER	STRACK	WORTH
CROWLEY	KEATOR	PARKER		

Mr. Fish moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 33.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOLAHAN	PALMER	SKINNER
ALLEN	CROWLEY	HOYT	PARKER	STORY
ALVORD	DALY	HURD	PATTENGILL	STRACK
ANDREWS	DEYOE	KEATOR	DEWITT C. PECK	SUTHERLAND
ASTOR	FISH	KEEGAN	PEEK	E. TAYLOR
BERGEN	FITZGERALD	KELLOGG	PIPER	TERRY
BERRY	FLOYD-JONES	KERN	POOL	THAIN

BOUCK	FLYNN	KING	PRESCOTT	TOWNSLEY
BROOKS	FRANK	LOWING	PURDY	VALENTINE
BRUNDAGE	GILBERT	MATTISON	REYNOLDS	WADSWORTH
CASE	GRADY	MCDONOUGH	ROWLAND	WARING
CHAPPELL	GRIGGS	MEKEEL	SAWYER	WEMPLE
CHASE	HALLIDAY	J. H. MILLER	SEEBACHER	WILLIAMS
CLANCY	HAVENS	S. V. R. MILLER	SEWELL	WILLIS
CLAPP	I. I. HAYES	NIVEN	SHEARD	WINCH
J. M. CLARK	HENRY	NORTH	SHELDON	WORTH
CRANDALL	HEPBURN	NOYES		

Those who voted in the negative, were

BATHE	COSAD	HOBBIE	MEYENBORG	SHANLEY
BEARD	DAY	JONES	NEILSON	SLITER
BERRIGAN	DOUGLASS	LANGNER	PATTERSON	THOMSON
BROWNING	FOSTER	LOVELAND	PROPER	WHEELER
BURNS	GALVIN	MAPES	ROBERTS	WILBOR
J. CLARK	HAMILTON	MEAD	SEARING	WILLERS
CONVERSE	J. HAYES	MOOERS		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorize the board of education of Fairport Union Free School district No. 9 of the town of Perrinton, Monroe county, to issue coupon bonds to replace the moneys lost by the district through the defalcation of its treasurer," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 4.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HENRY	MEKEEL	SHELDON
ALLEN	DALY	HEPBURN	MOOERS	SLITER
BATHE	DAY	HOBBIE	NOYES	STORY
BEARD	DEYOE	HOLAHAN	PARKER	SUTHERLAND
BERRIGAN	FISH	HOYT	PATTENGILL	E. TAYLOR
BERRY	FITZGERALD	HULME	PEEK	TERRY
BOUCK	FLOYD-JONES	HURD	PIPER	THAIN
BRUNDAGE	FLYNN	JONES	PRESCOTT	TOWNSLEY
BURNS	FOSTER	KEATOR	PURDY	VALENTINE
CASE	GRADY	KELLOGG	REYNOLDS	WADSWORTH
CHAPPELL	GRAHAM	LANGNER	ROBERTS	WEMPLE
CHASE	GRIGGS	LOVELAND	SEARING	WILBOR
CLANCY	HALLIDAY	LOWING	SEEBACHER	WILLIAMS
CLAPP	HAMILTON	MATTISON	SEWELL	WILLIS
CONVERSE	HAVENS	MCDONOUGH	SHANLEY	WINCH
COSAD	I. I. HAYES	MEAD	SHEARD	WORTH
CRANDALL				

Those who voted in the negative, were

D. C. PECK	SKINNER	THOMSON	WILLERS
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to repeal chapter 387 of the Laws of 1837, entitled 'An act to incorporate the Leicester Bridge Company, passed May 11, 1837,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HOYT	PALMER	SHEARD
ALVORD	DALY	HULME	PARKER	SHELDON
ANDREWS	DAY	HURD	PATTERSON	SKINNER
ASTOR	DEYOE	JONES	CICERO C. PECK	SUTHERLAND
BEARD	FISH	KELLOGG	DEWITT C. PECK	E. TAYLOR
BERRIGAN	FITZGERALD	KERN	PEEK	TERRY
BERRY	FLOYD-JONES	KING	PIPER	THAIN
BOUCK	FLYNN	LANGNER	POOL	THOMPSON
BROWNING	FOSTER	LOVELAND	PRESCOTT	TOWNSLEY
BRUNDAGE	GALVIN	LOWING	PURDY	WADSWORTH
CASE	GRIGGS	MATTISON	REYNOLDS	WARING
CHAPPELL	HAMILTON	MEKEEL	ROBERTS	WEMPLE
CHASE	HAVENS	MOLLER	ROWLAND	WILBOR
CLAPP	HENRY	MOOERS	SAWYER	WILLERS
J. M. CLARK	HEPBURN	MEYENBORG	SEARING	WILLIAMS
CONVERSE	HOBBIE	NEILSON	SEEBACHER	WILLIS
COSAD	HOLAHAN	NOYES	SHANLEY	WORTH
CRANDALL				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Piper, from the committee on privileges and elections, presented a minority report in the words following :

The undersigned, the minority of your committee on privileges and elections, to which was referred, with others, the case of Fordham Morris, contestant of the seat of Hon. Ambrose H. Purdy, of Westchester county, respectfully states that after repeated meetings, held at divers times and places, for the investigation of this matter, the majority of said committee arrived at a conclusion, from which and the report of said majority he respectfully dissents, for the following reasons :

First. It was insisted upon by the contestant and his counsel, and acceded to and allowed, by a majority of the committee, that the question, independent of all other claims and allegations of the contestant, and all counter-claims and allegations of the sitting member, first to be considered, was, what should have been the result arrived at by the canvassing board of Westchester county, in relation to member of Assembly for the First district of said county, upon the returns before them, and while acting in accordance with the rules, regulations and restrictions prescribed by law for the action of said board. The returns from all the election districts, in the said First Assembly district, are conceded, on all sides, to be correct, except those from the First district of the city and town of Yonkers, and the Sixth and Eighth districts of the Twenty-third ward of the city of New York. The returns from the First district of the city and town of Yonkers were deemed by the board of canvassers to be incomplete, on account of not having the ballots attached, and were taken back to the inspectors, in accordance with a resolution of said board, by certain members thereof, designated for that purpose, to be corrected in respect to the attaching of the ballots, and for no other purpose whatever.

The inspectors did not attach the ballots to the original statement, nor in anywise correct or alter the same. But they attached to a distinct piece of paper, the number of ballots respectively received by them, but not the number of votes received and allowed to any person. This writing on the paper to which the ballots were attached, was not intended or

thought of, as a correction of any error, in the original statement. It was not in fact such correction. In that original statement, it appears that Andrew H. Purdy received 308 and Fordham Morris received 108 votes only; while Fordham Morris was allowed by the canvassers 198 votes, being an allowance to Mr. Morris of ninety more votes, than in the judgment of the undersigned should have been allowed to him.

In the Sixth Election district of the Twenty-third ward of New York, the return states, among other things, that Fordham Morris "received irregular nineteen" votes; but it does not appear upon the return, in any shape or form, in what this irregularity consists. Irregularities, in this respect, may arise from a variety of causes, which may and should be corrected, when there is judicial authority to do so. The board of county canvassers have not this authority. This duty is ministerial mainly, and therefore, in the opinion of the undersigned, the canvassers lawfully and properly rejected these nineteen votes, in the count for Mr. Morris. For substantially the same reason, as last above given, the undersigned is of the opinion, that the thirteen votes mentioned in the returns from the Eighth election district, in the Twenty-third ward of New York, and referred to by the majority of the committee, in their report, were properly disallowed; and that the result of the county canvass should have been that Ambrose H. Purdy received 3,600 votes, and Fordham Morris received 3,498 votes, and consequently, that the certificate of election was properly allowed to Mr. Purdy, and that he is lawfully and rightfully entitled to his seat.

Second. The undersigned most emphatically dissents from that part of the report of said majority, wherein they state, that notwithstanding the sitting member, Mr. Purdy says, that he has an abundance of proof to show that frauds and irregularities were committed to his prejudice; and by which proof he can fully establish his right to his seat, they, nevertheless, refuse to hear him, deny him his legal rights, and propose to drive him from his seat and compel him to assume the attitude of a contestant.

From the mere statement of this proposition, it appears so unfair, so unjust and so unfeeling, that no argument or illustration is necessary to cause it to be spurned by every man who is actuated by any of the noble impulses of our common nature. The undersigned, therefore, recommends the adoption of the following resolution:

Resolved, That the sitting member, Hon. Ambrose H. Purdy, having received the certificate of election from the board of county canvassers of the county of Westchester, that he was duly elected to the office of member of Assembly for the First district of said county, at the late general election, by the greatest number of votes, as appears from all the evidence thus far produced, is justly entitled to the seat now held by him in this House.

S. B. PIPER.

Mr. Piper moved that said report be laid upon the table, and ordered printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented the Annual Report of the State Engineer and Surveyor on companies navigating the lakes and rivers; which was laid on the table and ordered printed.

(See Doc. No. 57.)

Mr. Brooks presented a resolution of the Chamber of Commerce of the State of New York in regard to the canals of the State; which was referred to the committee on canals, and ordered printed.

(See Doc. No. 54.)

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Andrews, Int. No. 259, entitled "An act to provide for the care, government, protection, and improvement of the public park known as Ross park, in the city of Binghamton," reported in favor of the passage of the same, with the title amended so as to read "An act to create a board of park commissioners in the city of Binghamton, and to confer upon said board the care, control, and management of the park known as Ross park in said city," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Graham, from the majority of the committee on general laws (Mr. Nelson and Mr. Peek dissenting), to which was referred the bill introduced by Mr. E. Taylor, Int. No. 152, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Reynolds, Int. No. 168, entitled "An act to amend subdivision 4 of section 1 of chapter 257 of the Laws of 1876, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent, Mr. Prescott, from the committee on railroads, offered the following resolutions:

Whereas, By resolution adopted by the House January 22, 1878, the committee on railroads were directed to "investigate and inquire into the merits, intent, and purposes of what is known as the 'coal combination,' and they were thereby empowered to send for persons, administer oaths, and take testimony;" and whereas, your committee find it impossible to proceed efficiently and discharge the duty imposed upon them without the aid of a stenographer and further powers; therefore, be it

Resolved, That the committee on railroads be authorized to employ Frederick Carman as stenographer for the uses of the committee in such investigation, who shall be paid for his services (including the making of one copy, in a plain hand, of the minutes and proceedings of the committee), the sum of fifteen cents per folio.

Resolved, That said committee be authorized to sit during the sessions of the House, if they shall deem it necessary so to do.

Resolved, That the said committee be authorized to take testimony outside of the city of Albany, and to call for and require production of books and papers.

Resolved, That the time provided in the original resolution for report of said committee be, and the same hereby is, extended twenty-five days from this date.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative, as follows :

AYES 84.

NOES 27.

Those who voted in the affirmative, were

ABBOTT	DALY	HURD	NOYES	SHANLEY
ANDREWS	DAY	JONES	PALMER	SHEARD
BATHE	DOUGLASS	KEATOR	PARKER	SHELDON
BEARD	FISH	KEEGAN	PATTENGILL	STRACK
BERRIGAN	FITZGERALD	KELLOGG	PATTERSON	E. TAYLOR
BOUCK	FLYNN	LOVELAND	CICERO C. PECK	TERRY
BROWNING	FRANK	LOWING	PEEK	THAIN
BURNS	GALVIN	MAPES	POOL	THOMSON
CHAPPELL	GILBERT	MATTISON	PRESCOTT	TOWNSLEY
CHASE	GRADY	MCDONOUGH	PROPER	VALENTINE
CLANCY	GRIGGS	MEAD	REYNOLDS	WEMPLE
CLAPP	HALLIDAY	J. H. MILLER	ROBERTS	WHEELER
J. CLARK	HAMILTON	MOLLER	ROWLAND	WILBOR
CONVERSE	I. I. HAYES	MOOERS	SAWYER	WILLERS
COSAD	HENRY	MEYENBORG	SEARING	WINCH
CRANDALL	HOBBIE	NEILSON	SEEBACHER	WORTH
CROWLEY	HOLAHAN	NORTH	SEWELL	

Those who voted in the negative, were

ALLEN	BRUNDAGE	HAVENS	NIVEN	SUTHERLAND
ALVORD	CASE	HOYT	DEWITT C. PECK	WADSWORTH
ASTOR	J. M. CLARK	HULME	PIPER	WARING
BERGEN	CRAWFORD	KERN	SKINNER	WILLIAMS
BERRY	FLOYD-JONES	MEKEEL	STORY	WILLIS
BROOKS	FOSTER			

Messrs. Worth, Thomson, Hulme, Parker, Converse, Noyes, Andrews, Story, Foster, Grady, Hobbie, Thain, Strack, Frank, Browning, Holbrook, Piper, Fitzgerald, Holahan, Mapes, Wemple, Bergen, Burns, Floyd-Jones, Meyenborg, Shanley, Brooks, Nelson, Bouck, Sutherland, Brundage, Havens, Crandall, Kern, Moller, J. H. Miller and Lowing, presented petitions in favor of a modification of the excise law; which were read and referred to the committee on internal affairs.

Messrs. Sheard, Berry, C. C. Peck, Curran, Skinner, Thomson, Hoyt, Alvord, Mead, Sutherland, Brundage, J. H. Miller, Keator, Havens, Kellogg and Speaker, presented petitions against any modification of the excise law; which were read and referred to the committee on internal affairs.

Mr. Brooks presented a memorial for prison reform; which was read and referred to the committee on state prisons.

Also, a memorial of 1,792 citizens of Richmond county, petitioning that the excise law be so amended as to strike out all provisions relating to the sale of liquors in inns, taverns and hotels; which was read and referred to the committee on internal affairs.

Mr. Alvord presented a petition of over 300 blind adults, praying for the establishment of a State home for the blind; which was read and referred to the committee on state charitable institutions.

Mr. Hurd presented a petition of citizens of Lancaster and Alden, in Erie county, asking that the eastern section of the Cayuga Creek road be made a free road; which was read and referred to the committee on roads and bridges.

On motion of Mr. Alvord, and at 2 o'clock and 7 minutes, the House adjourned.

THURSDAY, FEBRUARY 14, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Thompson.

The journal of yesterday was read and approved.

The Senate sent for concurrence the bills entitled as follows :

"An act to provide for shading public highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to repeal chapter 250 of the Laws of 1853, entitled 'An act relating to incorporated banks, banking associations and individual bankers located in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

The Senate returned the bill entitled "An act to amend chapter 516 of the Laws of 1867, entitled 'An act for the further protection of female employes in the city of New York,' passed April 22, 1867," with a message that they have assented to a committee of conference on said bill, and have appointed as such committee, on the part of the Senate, Messrs. Robertson, Hogan and Turner.

The Senate returned the bill entitled "An act relating to diseased animals," with a message that they have concurred in the passage of the same, with the following amendments :

Section 1, line 1, after the word "shall," insert the word "knowingly."

Same section, line 2, strike out the words "in any place."

Same section, line 4, strike out the words "in any place."

Same section, line 6, after the word "disease," insert the words "by such person known to be."

Same section, line 7, strike out the words "or animals ;" also the words "or injured."

Strike out all after the word "recovery," in line 8, same section, down to and including the word "use," in line 10.

On motion of Mr. Alvord, and by unanimous consent, said bill, with the Senate amendments, were laid upon the table.

Mr. Terry moved that the consideration of the majority and minority reports of the case relative to the contested seat of Ambrose H. Purdy and Fordham Morris be made a special order, for the first Wednesday the House shall be in session, immediately after the reading of the journal, and that Mr. Fordham Morris and his counsel, Mr. Herrick, be allowed seats upon the floor of this House during the argument of said case, and participate in said argument.

Mr. Fish called for a division of the question.

Mr. Speaker put the question on the first portion of said motion down to and including the word "journal," and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord moved that the remainder of said motion be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows :

AYES 52.

NOES 68.

Those who voted in the affirmative, were

ABBOTT
ALVORD

J. M. CLARK
CRANDALL

HULME
JONES

MOOERS
NELSON

SPEAKER
STORY

ANDREWS	DALY	KERN	NORTH	SUTHERLAND
ASTOR	DEYOE	KING	NOYES	TERRY
BAKER	FISH	LOWING	PARKER	WADSWORTH
BERRIGAN	GRIGGS	MAPES	PEEK	WARING
BERRY	I. I. HAYES	MATTISON	POOL	WHEELER
BRUNDAGE	J. HAYES	MEKEEL	SAWYER	WILBOR
CASE	HOBBIE	J. H. MILLER	SHELDON	WILLIAMS
CHASE	HOLBROOK	S. V. R. MILLER	SKINNER	WILLIS
CLAPP	HOYT			

Those who voted in the negative, were

ALLEN	DAY	HOLAHAN	PATTENGILL	SHANLEY
BATHE	DOUGLASS	HURD	PATTERSON	SHEARD
BEARD	FITZGERALD	KEATOR	CICERO C. PECK	SLITER
BERGEN	FLOYD-JONES	KEEGAN	DEWITT C. PECK	STRACK
BROOKS	FLYNN	KELLOGG	PRESCOTT	E. TAYLOR
BROWNING	FOSTER	LANGNER	PROPER	THAIN
BURNS	GALVIN	LOVELAND	PURDY	THOMSON
CHAPPELL	GILBERT	MCDONOUGH	REYNOLDS	TOWNSLEY
CLANCY	GRADY	MEAD	ROBERTS	VALENTINE
J. CLARK	HALLIDAY	MOLLER	ROWLAND	WEMPLE
CONVERSE	HAMILTON	MEYENBORG	SEARING	WILLERS
CORMACK	HAVENS	NEILSON	SEEBACHER	WINCH
COSAD	HENRY	NIVEN	SEWELL	WORTH
CRAWFORD	HEPBURN	PALMER		

Mr. Alvord moved to strike out, in said motion, the words "and participate in said argument."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the remainder of said motion, and it was determined in the affirmative, as follows:

AYES 66.

NOES 55.

Those who voted in the affirmative, were

ALLEN	COSAD	HAMILTON	MEKEEL	SAWYER
BAKER	CRAWFORD	HAVENS	MOLLER	SEARING
BATHE	DAY	HENRY	MEYENBORG	SEEBACHER
BEARD	DOUGLASS	HOLAHAN	NEILSON	SHANLEY
BERGEN	FITZGERALD	HOLBROOK	NIVEN	SLITER
BERRIGAN	FLOYD-JONES	KEATOR	PATTENGILL	THAIN
BROOKS	FLYNN	KEEGAN	PATTERSON	THOMSON
BROWNING	FOSTER	KELLOGG	CICERO C. PECK	TOWNSLEY
BURNS	FRANK	LANGNER	PIPER	VALENTINE
CHAPPELL	GALVIN	LOVELAND	PROPER	WEMPLE
CLANCY	GILBERT	MAPES	PURDY	WILLERS
J. CLARK	GRADY	MCDONOUGH	REYNOLDS	WINCH
CONVERSE	HALLIDAY	MEAD	ROBERTS	WORTH
CORMACK				

Those who voted in the negative, were

ABBOTT	DALY	JONES	PALMER	STORY
ALVORD	DEYOE	KERN	PARKER	STRACK
ANDREWS	FISH	KING	DEWITT C. PECK	SUTHERLAND
ASTOR	GRIGGS	LOWING	PEEK	E. TAYLOR
BERRY	I. I. HAYES	MATTISON	POOL	TERRY
BRUNDAGE	J. HAYES	J. H. MILLER	PRESCOTT	WADSWORTH
CASE	HEPBURN	S. V. R. MILLER	ROWLAND	WARING
CHASE	HOBBIE	MOOERS	SEWELL	WHEELER
CLAPP	HOYT	NELSON	SHELDON	WILBOR
J. M. CLARK	HULME	NORTH	SKINNER	WILLIAMS
CRANDALL	HURD	NOYES	SPEAKER	WILLIS

On motion of Mr. Brundage, the privileges of the floor were granted to the Hon. J. F. Little, a former member of this House.

This being the day assigned, under the rule, for the consideration of general orders,

Mr. Speaker announced, as the next order of business, general orders.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to regulate the sale of intoxicating liquors, wines, ale and beer, in the city of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. E. Taylor, from said committee, reported progress on said named bill, and asked and obtained leave to sit again.

On motion of Mr. Bergen, and at 1 o'clock and 55 minutes, the House adjourned.

FRIDAY, FEBRUARY 15, 1878.

The House met pursuant to adjournment.

Prayer by Rev. D. K. Bartlett.

The journal of yesterday was read and approved.

The Senate sent for concurrence a resolution in the words following:

Whereas, A joint resolution of Congress, approved December 15, 1877, provides for representation of the interests of American manufactures and the productions of agriculture and the arts in the International Industrial Exposition to be held in Paris in 1878, and invites the Governors and people of the several States to assist in the proper representation of the productions of American industry and of the natural resources of the country, and to take such further measures as may be necessary in order to secure to their respective States the advantages to be derived from this beneficent undertaking; and

Whereas, It is further provided in said joint resolution of Congress, that if the authorities of any State or Territory shall appoint a commissioner or commissioners to represent the interests of such State or Territory at said Exhibition, said commissioner or commissioners so appointed shall have the same status in the commission as the honorary commissioners appointed by the President of the United States, and shall not be entitled to pay or compensation; therefore,

Resolved (if the Assembly concur), That the Governor of this State shall appoint two commissioners to represent the interests of this State at the said International Exposition, one of whom shall be designated to report to the Legislature of this State upon the progress of education and the industrial and liberal arts, and the other commissioner upon the productions of agriculture and commerce, with a view to the diffusion among the people of this State of useful information and knowledge of such improvements and progress as are illustrated and evinced by the exhibits of all nations which shall participate in said International Exposition.

On motion of Mr. Brooks, and by unanimous consent, said resolution was adopted.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Speaker presented a communication from the Comptroller, in response to a resolution of the Assembly, relative to the expense of the Natural History of this State since 1835.

On motion of Mr. Alvord, and by unanimous consent, said communication was laid on the table and ordered printed.

(See Doc. No. 59.)

Mr. Speaker presented a communication from the Auditor of the Canal Department, in response to a resolution of the Assembly, relative to the reduction of the number of weigh-masters, assistant weigh-masters, and collectors, and abolishing resident and division engineers.

On motion of Mr. Alvord, and by unanimous consent, said communication was laid on the table and ordered printed.

(See Doc. No. 60.)

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows :

"An act to amend chapter 129 of the Laws of 1856, entitled 'An act in relation to School district No. 6 in the town of Lyons, Wayne county.'"

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Moller offered, for the consideration of the House, a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return, for amendment, of Assembly bill No. 1, entitled "An act to authorize the boards of trustees of the village of West Mount Vernon, in the county of Westchester, to discontinue and close part of Railroad avenue in said village, and grant or lease the same to the Harlem Railroad Company, for the erection of a railroad station building."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to amend chapter 324 of the Laws of 1869, entitled 'An act for the election of a receiver of taxes and assessments for the town of Cortlandt and village of Peekskill,'" with a message that they had concurred in the passage of the same, with the following amendment :

Section 3, line 1, strike out the word "immediately," and insert the words "the first day of January, eighteen hundred and seventy-nine."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLAHAN	NORTH	SLITER
ALLEN	CORMACK	HOYT	NOYES	SPEAKER
ALVORD	CRANDALL	HULME	PALMER	STRACK
ANDREWS	CURRAN	JONES	PARKER	SUTHERLAND
ASTOR	DAY	KELLOGG	PATTENGILL	E. TAYLOR
BAKER	DEYOE	KERN	DeWITT C. PECK	TERRY
BATHE	FISH	LANGNER	PEEK	THAIN
BEARD	FLOYD-JONES	LOVELAND	PIPER	THOMSON
BERGEN	FOSTER	LOWING	POOL	TOWNSLEY
BERRIGAN	GALVIN	MATTISON	ROBERTS	VALENTINE
BERRY	GRIGGS	MEKEEL	ROWLAND	WEMPLE
BOUCK	HALLIDAY	J. H. MILLER	SAWYER	WHEELER
BROOKS	HAMILTON	MOOERS	SEARING	WILBOR

BROWNING	HAVENS	MEYENBORG	SEEBACHER	WILLERS
CASE	HEPBURN	NELSON	SEWELL	WILLIS
CLAPP	HOBBIE	NIVEN	SKINNER	WINCH
J. M. CLARK				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate sent for concurrence the bill entitled as follows:

"An act authorizing the city of Kingston to issue bonds for the purpose of creating a fund to pay the principal of the bonded indebtedness of said city, falling due in the years 1879, 1880, 1881 and 1882, and its proportion or quota of the bonded indebtedness of the county of Ulster, falling due in said years."

On motion of Mr. Searing, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. CLARK	HAVENS	MOLLER	SHANLEY
ALLEN	J. M. CLARK	J. HAYES	MOOERS	SHELDON
ALVORD	CONVERSE	HENRY	MEYENBORG	SKINNER
ANDREWS	CRANDALL	HEPBURN	NELSON	SLITER
BATHE	CROWLEY	HOBBIE	NIVEN	STRACK
BEARD	CURRAN	HOLBROOK	NORTH	SUTHERLAND
BERGEN	DALY	HOYT	NOYES	E. TAYLOR
BERRIGAN	DAY	HULME	PARKER	THAIN
BERRY	DEYOE	HURD	PATTENGILL	THOMSON
BOUCK	FISH	JONES	CICERO C. PECK	TOWNSLEY
BROOKS	FLOYD-JONES	KEEGAN	DEWITT C. PECK	VALENTINE
BROWNING	FLYNN	KELLOGG	PIPER	WADSWORTH
BRUNDAGE	GALVIN	LANGNER	POOL	WILLIAMS
CASE	GRADY	LOVELAND	PRESCOTT	WILLIS
CHAPPELL	GRIGGS	LOWING	ROBERTS	WINCH
CHASE	HALLIDAY	MEKEEL	SAWYER	WORTH
CLAPP	HAMILTON	S. V. R. MILLER	SEARING	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution that a respectful message be sent to the Governor requesting the return of Assembly bill No. 1, entitled "An act to authorize the board of trustees of the village of West Mount Vernon, in the county of Westchester, to discontinue and close part of Railroad avenue in said village, and grant or lease the same to the Harlem Railroad Company for the erection of a railroad station building," with a message that they had concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Strack, the privileges of the floor were granted to the Hon. Mr. Carty, a former member of this House.

Mr. Day introduced a bill entitled "An act respecting the collection of taxes within the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Allen introduced a bill entitled "An act to amend an act entitled 'An act relating to courts, officers of justice and civil proceedings,' passed

June 2, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hurd introduced a bill entitled "An act to change the name of the Union Free School district No. 1, of the town of Clarence, to the Parker Union Free School district No. 1, of the town of Clarence," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on public education.

Mr. Peek introduced a bill entitled "An act to amend chapter 118 of the Laws of 1873, entitled 'An act to provide for the construction and improvement of the road from Piseco lake to Clafflin's tannery, in the county of Hamilton,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Kern introduced a bill entitled "An act to authorize the Pennsylvania and New York Petroleum Transportation Company to use, occupy and enjoy the bed and banks of the Genesee Valley canal for certain purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Mapes introduced a bill entitled "An act to establish a bureau of labor statistics," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Galvin introduced a bill entitled "An act to amend chapter 331 of the Laws of 1870, entitled 'An act to amend an act entitled An act to incorporate dental societies for the purpose of improving and regulating the practice of dentistry in this State,' passed April 7, 1868," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Daly introduced a bill entitled "An act for the incorporation of district No. 1, of the Incorporated Order of Benai Berith, and to authorize other corporations, incorporated societies, or other associations, to give and transfer property to, or wholly to consolidate with the corporation hereby created," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Thain introduced a bill entitled "An act regulating the number of trains to be run on elevated railroads at certain hours," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Thain introduced a bill entitled "An act to amend an act entitled 'An act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance,' passed May 8, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Berrigan introduced a bill entitled "An act to incorporate the Grand Lodge of the Order Berith Abraham, of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Piper introduced a bill entitled "An act to secure to the public the free use of the canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Alvord introduced a bill entitled "An act limiting the time and expense of completing the Adirondack Survey," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Fish introduced a bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a bill entitled "An act to amend the act entitled 'An act concerning the Police Life Insurance Fund, and the powers and duties of the police department of the city of New York,' chapter 126 of the Laws of 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Sliter introduced a bill entitled "An act to amend chapter 325 of the Laws of 1874, entitled 'An act to incorporate the village of Bath-on-the-Hudson, Rensselaer county, New York,' passed May 5, 1874, and the acts amendatory thereof, being chapter 284 of the Laws of 1876, entitled 'An act to amend chapter 325 of the Laws of 1874, entitled 'An act to incorporate the village of Bath-on-the-Hudson, Rensselaer county, New York,' passed May 5, 1874, passed May 15, 1876,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Burns introduced a bill entitled "An act to amend an act entitled 'An act to amend an act to incorporate the city of Troy,' passed April 12, 1816, and the several acts amendatory thereto, and to amend other acts relating to the city of Troy, passed March 23, 1872; and also to amend chapter 813 of the Laws of 1873; and also to amend chapter 411 of the Laws of 1875, passed May 21, 1875, and also to amend other acts relating to the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Sutherland introduced a bill entitled "An act authorizing the supervisor and justices of the peace of the town of Hornellsville, in the county of Steuben, to convey to the Arkport Cemetery Association certain lands situate in the town of Hornellsville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to incorporate the Arkport Cemetery Association of Hornellsville, in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Havens introduced a bill entitled "An act to amend chapter 167 of the Laws of 1869, entitled 'An act to encourage the organization of town agricultural societies,' passed April 14, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Nivens introduced a bill entitled "An act to provide for the review and correction of illegal, erroneous and unequal assessments," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on ways and means.

Mr. Halliday introduced a bill entitled "An act for the apportionment of the members of the Assembly of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on apportionment.

On motion of Mr. Halliday, and by unanimous consent, the committee on apportionment was discharged from the further consideration of said bill, and the same was committed to the committee of the whole.

Mr. Halliday introduced a bill entitled "An act to organize the Senate districts of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Terry introduced a bill entitled "An act to alter the location of one of the bridges over the Champlain canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Gilbert introduced a bill entitled "An act to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Waring introduced a bill entitled "An act to incorporate the Society for the prevention of crime," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bergen introduced a bill entitled "An act providing for determining the time at which annual town meetings shall be held in the respective counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act to provide for the collection of the unpaid assessments for the opening, regulating and grading of Franklin avenue, in the towns of Flatbush and New Utrecht," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a petition on the same subject; which was read and referred to the committee on internal affairs.

Also, a bill entitled "An act to repeal chapter 552 of the Laws of 1873, entitled 'An act in relation to lands of which parties die seized,' as amended by chapter 127 of the Laws of 1874, entitled 'An act to amend an act entitled An act in relation to lands of which parties die seized,' passed May 21, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Loveland introduced a bill entitled "An act for the better protection and preservation of the records and documents in county clerks' offices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Kellogg, Int. No. 82, entitled "An act to amend an act entitled 'An act to establish specie payments on all contracts or obligations payable in this State in dollars, and made after January 1, 1879,' reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Willers, Int. No. 232, entitled "An act in relation to the Military Record Fund, and to provide for the refunding of moneys contributed by towns and cities of this State, and by individuals, for the erection of a Hall of Military Record," reported in favor

of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the Senate bill Int. No. 39, entitled "An act to authorize the transfer to the State of the Soldier's Home, and the appointment of a board of trustees for its completion and control," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, offered the following resolution :

Resolved, That a respectful message be sent to the State Engineer and Surveyor requesting his estimate of the probable costs of a brick sewer suitable for draining the lands of the Buffalo State Insane Asylum, and to conduct water therefrom into the Niagara river.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Gilbert, Int. No. 105, entitled "An act repealing certain acts and parts of acts," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kern, Int. No. 175, entitled "An act to amend title 4 of chapter 4 of part 2 of the Revised Statutes, relating to accumulations of personal property, and of expectant estates in such property," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Allen, Int. No. 361, entitled "An act confirming the election and official acts of John Kammerer, John S. Shugert, Joseph M. Congdon, George L. Vosburgh and Jacob Gamel, as trustees of the village of Gowanda, in the counties of Erie and Cattaraugus," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Allen, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLANCY	HEPBURN	NELSON	SHANLEY
ALLEN	CLAPP	HOLBROOK	NIVEN	SKINNER
ALVORD	J. CLARK	HOYT	NOYES	STRACK
ANDREWS	J. M. CLARK	HURD	PALMER	SUTHERLAND
ASTOR	CORMACK	JONES	PARKER	E. TAYLOR
BAKER	COSAD	KEATOR	PATTENGILL	THAIN
BEARD	CRAWFORD	KEEGAN	PATTERSON	THOMSON
BERGEN	CROWLEY	KELLOGG	PIPER	TOWNSLEY
BERRIGAN	CURRAN	KING	POOL	VALENTINE
BERRY	DAY	LANGNER	PROPER	WADSWORTH
BOUCK	DEYOE	LOVELAND	REYNOLDS	WARING

BROOKS	FISH	LOWING	ROBERTS	WEMPLE
BROWNING	FLOYD-JONES	MATTISON	ROWLAND	WILBOR
BRUNDAGE	FOSTER	MEKEEL	SAWYER	WILLERS
CASE	HAMILTON	J. H. MILLER	SEARING	WILLIS
CHAPPELL	I. I. HAYES	S. V. R. MILLER	SEEBACHER	WINCH
CHASE	HENRY	MOOERS	SEWELL	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Gilbert, from the committee on the judiciary (Messrs. Gilbert and Piper dissenting), to which was referred the bill introduced by Mr. Kern, Int. No. 278, entitled "An act requiring justices of the peace to give bonds," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Nelson, Int. No. 235, entitled "An act to amend subdivision 2 of section 5 of title 1, chapter 13, part 1 of the Revised Statutes of the State of New York," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Pomeroy, Int. No. 37, entitled "An act to provide compensation for expert witnesses in criminal cases," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Edick, Int. No. 34, entitled "An act in relation to the compensation of committees of the estate of idiots, lunatics, persons of unsound mind and habitual drunkards," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Ecclesine, Int. No. 14, entitled "An act to amend chapter 449 of the Laws of 1876, entitled 'An act explaining, defining, and regulating the effect and application of, and otherwise relating to, the act passed at this session of the Legislature, entitled An act relating to courts, officers of justice, and civil proceedings,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary (Mr. Gilbert dissenting), to which was referred the Senate bill introduced by Mr. Robertson, Int. No. 15, entitled "An act to amend section 69 of article 8, chapter 20, part 1, of the Revised Statutes, and section 7, title 1, chapter 3, part 3 of the Revised Statutes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, to which was referred the Senate bill introduced by Mr. Raines, Int. No. 35, entitled "An act to amend chapter 365 of the Laws of 1877, entitled 'An act authorizing and empowering the common council of the city of Rochester to construct a turn-table or swing-bridge over the Erie canal in Allen street, city of Rochester,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was recommended the bill introduced by Mr. Graham, Int. No. 120, entitled "An act to amend an act entitled 'An act to incorporate the city of Newburgh,' passed April 22, 1865. and the several acts amendatory thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Chappell, Int. No. 166, entitled "An act in relation to coroners' fees and post-mortem examinations in Monroe county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Allen, Int. No. 328, entitled "An act to provide for the election of supervisors of the several towns of Erie county biennially," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Sliter, Int. No. 304, entitled "An act to amend an act entitled 'An act amending and revising and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863, passed April 25, 1871, passed April 26, 1876," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Mekeel, Int. No. 305, entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village,' passed April 3, 1861," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Nelson, Int. No. 234, entitled "An act to amend chapter 291 of the Laws of 1871, entitled 'An act for the incorporation of villages,'" reported adversely thereto, which report was agreed to.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Sutherland, Int. No. 351, entitled "An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes,' passed May 8, 1873," reported adversely thereto, which report was agreed to.

Mr. King, from the committee on public health, to which was referred the bill introduced by Mr. Halliday, Int. No. 269, entitled "An act to regulate the use of prescriptions of the medical profession in the State of New York," reported adversely thereto, which report was agreed to.

Mr. King, from the committee on public health, to which was referred the bill introduced by Mr. McDonough, Int. No. 169, entitled "An act to provide for the abatement of nuisances by boards of health in incorporated cities," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. C. Peck moved that the committee on public education be discharged from the further consideration of the bill entitled "An act supplementary to chapter 305 of the Laws of 1827, giving certain lands belonging to the people of the State of New York, in the village of Johnstown, Fulton county, for the purpose of a school district," and that the same be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. D. C. Peck moved that the committee on public education be dis-

charged from the further consideration of the Senate bill entitled "An act to amend chapter 199 of the Laws of 1851, entitled 'An act to incorporate the University of Albany,'" and that the same be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. D. C. Peck also moved that the committee on public education be discharged from the further consideration of the bill entitled "An act to amend chapter 176 of the Laws of 1831, entitled 'An act incorporating the University of the city of New York,' passed April, 1831," and that the same be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Willers, Int. No. 161, entitled "An act in relation to the election of trustees of school districts in this State," reported adversely thereto (another bill on the same subject having been reported favorably), which report was agreed to.

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Cosad, Int. No. 179, entitled "An act to amend chapter 550 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported adversely thereto, which report was agreed to.

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. McDonough, Int. No. 157, entitled "An act in relation to the ages of children attending the common schools in the city of New York," reported adversely thereto (another bill on the same subject having been reported favorably), which report was agreed to.

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Winch, Int. No. 196, entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Case, from the committee on game laws, to which was referred the bill No. 84 retaining its place on general orders, introduced by Mr. Lowing, Int. No. 163, entitled "An act to repeal section 4, of chapter 721, Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' and section 29 of said act, as amended by section 1 of chapter 436, Laws of 1873, so far as they relate to Silver lake, in the county of Wyoming," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to repeal all acts and parts of acts relating to the preservation or protection of fish in the waters of Silver lake, in the county of Wyoming," which report was agreed to, and said bill recommitted to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was recommitted the bill introduced by Mr. Mattison, Int. No. 39, entitled "An act to incorporate Albion Lodge No. 67 of the Ancient Order of United Workmen," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 74 of the Laws of 1877, entitled 'An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of the State

of New York,'” which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Mattison, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same ordered to a third reading.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOLAHAN	S. V. R. MILLER	SEARING
ALLEN	CRANDALL	HOLBROOK	MOOERS	SEEBACHER
ANDREWS	CURRAN	HOYT	MEYENBORG	SEWELL
BAKER	DEYOE	HULME	NEILSON	SKINNER
BATHE	FISH	JONES	NELSON	SLITER
BEARD	FITZGERALD	KEATOR	NOYES	STRACK
BERGEN	FLOYD-JONES	KEEGAN	PARKER	SUTHERLAND
BERRIGAN	FLYNN	KELLOGG	PATTENGILL	E. TAYLOR
BERRY	FOSTER	KERN	CICERO C. PECK	TERRY
BOUCK	FRANK	LANGNER	DEWITT C. PECK	THAIN
BROWNING	GALVIN	LOVELAND	PEEK	TOWNSLEY
BRUNDAGE	GILBERT	LOWING	PIPER	WADSWORTH
CHAPPELL	GRADY	MAPES	PRESCOTT	WEMPLE
CHASE	HAMILTON	MATTISON	PROPER	WHEELER
CLANCY	I. I. HAYES	MCDONOUGH	REYNOLDS	WILBOR
CLAPP	HENRY	MEAD	ROBERTS	WILLIS
J. CLARK	HEPBURN	MEKEEL	ROWLAND	WORTH
J. M. CLARK	HOBBIE	J. H. MILLER	SAWYER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Clapp offered, for the consideration of the House, a resolution in the words following :

Resolved, That when this House adjourn to-day, it be to meet again on Monday evening next at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Wadsworth, from the committee on agriculture, to which was referred the bill introduced by Mr. Sawyer, Int. No. 285, entitled “An act to amend chapter 197 of the Laws of 1864, entitled ‘An act to amend the several acts relating to taxes upon dogs, so far as relates to the county of Ontario, and providing for the extension of the provisions thereof to the several counties of the State, by resolution of the respective boards of supervisors,’” reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wadsworth, from the committee on agriculture, to which was referred the bill introduced by Mr. Sheldon, Int. No. 204, entitled “An act to further amend chapter 518 of the Laws of 1864, entitled ‘An act to protect butter and cheese manufacturers,’” reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Chase, from the committee on expenditures of the House, to which was referred the resolution relative to the printing of 1,000 copies of the diagram of the House, reported adversely thereto, which report was agreed to.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to legalize the proceedings of the Livingston Town Insurance Company in the county of Columbia."

"An act making an appropriation to pay certain awards made by the Canal Appraisers, and to pay counsel employed in behalf of the State."

"An act relating to the coroners of the city and county of New York, their duties and compensation."

Mr. Speaker presented a communication from the Governor in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *February 15, 1878.* }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, I return herewith, for amendment, Assembly bill No. 1, entitled "An act to authorize the board of trustees of the village of West Mount Vernon, in the county of Westchester, to discontinue and close part of Railroad avenue in said village, and grant or lease the same to the Harlem Railroad Company for the erection of a railroad station building."

L. ROBINSON.

On motion of Mr. Moller, and by unanimous consent, said bill was laid upon the table.

The Senate sent for concurrence the bills entitled as follows:

"An act to repeal chapter 556 of the Laws of 1871, and chapter 633 of the Laws of 1872, both relative to the Queens County Railway Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The committee of conference, to which was referred the matters of difference between the two Houses, on the Assembly bill entitled "An act to amend chapter 516 of the Laws of 1867, entitled 'An act for the further protection of female employes in the city of New York,' passed April 22, 1867," having met and duly considered the same, do report that they recommend that the Senate recede from the amendment adopted by them in striking out the second section of the bill, and that the Assembly concur in all the other amendments made thereto by the Senate.

W. H. ROBERTSON,
J. HOGAN,
Senate Committee.

J. SEEBACHER,
J. H. MILLER,
J. W. PEEK,
JAMES CHAPPELL,
JAMES M. NELSON,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83.

NOES 1.

Those who voted in the affirmative, were

ALVORD	CROWLEY	HOLBROOK	MEYENBORG	SKINNER
ANDRWS	CURRAN	HOYT	NELSON	SLITER
ASTOR	DALY	HURD	NOYES	STORY
BAKER	DAY	JONES	PALMER	STRACK
BATHE	FISH	KEATOR	PARKER	SUTHERLAND
BEARD	FITZGERALD	KEEGAN	PATTENGILL	E. TAYLOR
BERGEN	FLOYD-JONES	KELLOGG	CICERO C. PECK	TERRY
BERRIGAN	FOSTER	KING	PIPER	THOMSON
BERRY	GALVIN	LANGNER	PRESCOTT	TOWNSLEY
BROOKS	GILBERT	LOWING	PROPER	WADSWORTH
BROWNING	GRIGGS	MAPES	REYNOLDS	WILBOR
CASE	HALLIDAY	MCDONOUGH	ROBERTS	WILLERS
CHASE	HAMILTON	MEAD	ROWLAND	WILLIAMS
J. CLARK	HAVENS	MEKEEL	SAWYER	WILLIS
J. M. CLARK	I. I. HAYES	S. V. R. MILLER	SEARING	WINCH
COSAD	HOBBIE	MOLLER	SEEBACHER	WORTH
CRAWFORD	HOLAHAN	MOOERS		

For the negative,

SEWELL

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in a portion of their amendments.

The Senate returned the bill entitled "An act making appropriations for the support of government," with a message that they have concurred in the passage of the same, with the following amendments:

Page 12, engrossed bill, after line 33, insert the words "For the shore inspector, for salary, two thousand dollars, pursuant to chapter 604 of the Laws of 1875."

Page 13, engrossed bill, line 22, strike out the word "fifty," and insert the word "sixty-five."

Same page, lines 24 and 25, strike out the words "thirteen thousand, seven hundred and fifty dollars," and insert the words "seventeen thousand, eight hundred and seventy-five."

Page 14, engrossed bill, line 25, after the words "for the," insert the word "Western."

Same line, strike out the words "Western New," and insert the words "Juvenile Delinquents."

Line 25, strike out the words "York, forty," and insert the word "seventy,"

Mr. Alvord moved to concur in the amendments made by the Senate to said bill.

Mr. Brooks moved that said bill, with the Senate amendments, be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Thain moved that the whole subject be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof, as follows:

AYES 86.

NOES 11.

Those who voted in the affirmative, were

ALLEN	CORMACK	J. HAYES	MEAD	ROBERTS
ALVORD	CROWLEY	HENRY	MEKEEL	SAWYER
ANDREWS	DALY	HEPBURN	S. V. R. MILLER	SEARING
ASTOR	DAY	HOBBIE	MOOERS	SEEBACHER
BAKER	DOUGLASS	HOLAHAN	MEYENBORG	SEWELL
BATHE	FISH	HOLBROOK	NIVEN	SHANLEY
BEARD	FITZGERALD	HOYT	NOYES	SPEAKER
BERGEN	FLOYD-JONES	HULME	PALMER	STORY
BERRIGAN	FOSTER	HURD	PARKER	STRACK
BROWNING	FRANK	JONES	PATTENGILL	SUTHERLAND
BURNS	GALVIN	KELLOGG	PATTERSON	E. TAYLOR
CASE	GILBERT	KING	CICERO C. PECK	TERRY
CHAPPELL	GRADY	LANGNER	DEWITT C. PECK	VALENTINE
CHASE	GRIGGS	LOVELAND	PIPER	WILBOR
CLANCY	HALLIDAY	LOWING	POOL	WILLIS
CLAPP	HAMILTON	MAPES	PRESCOTT	WINCH
J. CLARK	I. I. HAYES	MCDONOUGH	REYNOLDS	WORTH
J. M. CLARK				

Those who voted in the negative, were

BROOKS	HAVENS	SKINNER	THOMSON	WARING
BRUNDAGE	KEEGAN	THAIN	WADSWORTH	WILLERS
CURRAN				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

Messrs. Wadsworth, Searing, Valentine, Rowland, Curran, Astor, Crowley, Bergen, Keegan, Langner, Mapes, King, Mead, Browning, Winch, and McDonough presented petitions in favor of a modification of the excise laws; which were read and referred to the committee on internal affairs.

Messrs. Havens, Cormack, Browning, Alvord, Chappell, Mekeel, Lowing, Skinner, and Floyd-Jones presented petitions against any modification of the excise laws; which were read and referred to the committee on internal affairs.

Mr. Brooks presented a memorial of the Grocers' Board of Trade in favor of the constitutional amendments; which was read and laid upon the table.

Mr. Noyes presented a petition of the board of supervisors of Cayuga county praying for reimbursement of moneys expended in trials of State criminals; which was read and referred to the committee on ways and means.

Mr. Clancy presented a petition in favor of the passage of the one-cent ferriage bill; which was read and referred to the committee on commerce and navigation.

Mr. Shanley presented a petition on the same subject; which was read and referred to the same committee.

Mr. Proper presented a resolution of the board of supervisors of Columbia county on the subject of tramps; which was read and referred to the committee on ways and means.

Also, a resolution of the board of supervisors of Columbia county on the subject of town auditors; which was read and laid upon the table.

Also, a resolution of the board of supervisors of Columbia county on the subject of coroners; which was read and referred to the committee on internal affairs.

Mr. Bergen offered, for the consideration of the House, a resolution in the words following:

Whereas, It is the duty of the Legislature of this State to protect its citizens against fraud and misrepresentation in certificates of solvency that may be given by any insurance department of another State to an insolvent company ; and, whereas, it has been proved that certificates as issued by the Insurance Department of the State of New Jersey to the New Jersey Mutual Life Insurance Company in 1874, to the Citizen's Fire Insurance Company of New Jersey in 1877, to the Patterson Fire Insurance Company of New Jersey in 1877, were incorrect at the time they were given ; and, whereas, by reason of these certificates of soundness, as given by the Department of Insurance of New Jersey to the above mentioned companies, many citizens of this State have been defrauded of the moneys which they had paid for said insurance ; and whereas, the Department of Insurance for the State of New Jersey, as at present organized, has neither the confidence of the insurance departments of other States nor of this State ; now, therefore, be it

Resolved (if the Senate concur), That the Superintendent of the Insurance Department of this State be and he is hereby instructed to refuse to accept the certificate of examination of New Jersey companies, when made by the present Department of New Jersey, without causing, in the first instance, an examination to be made of the actual condition of such company by examiners appointed by himself.

Ordered, That said resolution be referred to the committee on insurance.

Mr. Brooks offered, for the consideration of the House, a resolution in the words following :

Resolved, That the State Comptroller be requested to furnish to the Assembly, at his earliest convenience, the amount paid into the State Treasury, from auction duties imposed upon the city of New York from the commencement of such tax on sales at auction, with the authority of law for such tax.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McDonough offered, for the consideration of the House, a resolution in the words following :

Resolved, That the Attorney-General be requested to report to the House, within ten days, what further legislation is necessary for the better protection of savings bank depositors.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Seebacher offered, for the consideration of the House, a resolution in the words following :

Resolved, That the Comptroller of the city of New York, the president of the board of police and the committee on street cleaning of the board of police, namely, Messrs. Nichols and Wheeler, be respectfully requested to furnish within twenty days, to this House, such information as to the best method as will, in their opinion, tend to the most effectual cleaning of the streets of the city of New York.

Debate arising thereon,

Ordered, That said resolution be laid on the table.

Mr. I. I. Hayes offered, for the consideration of the House, a resolution in the words following :

Resolved, That the board of education of the city of New York be requested to report to this House, within ten days after the passage of this resolution, the names and official designation of every person employed in the public schools of the city of New York, in the Normal College,

College of the City of New York, and under the Board of Education, together with the amount of compensation paid to each, during the year 1877, and the amount proposed to be paid for the year 1878, under the recent revision of salaries adopted by the board of education.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Browning offered, for the consideration of the House, a resolution in the words following :

Resolved, That the bill reported by the committee on the judiciary adversely and laid upon the table, entitled "An act to provide for the examination of persons in proceedings instituted by or on behalf of the municipal authorities, boards, and departments in the several cities of this State, pursuant to any statute or ordinance," be taken from the table and recommitted to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to take said report from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to recommit said bill to the committee on the judiciary, and it was determined in the affirmative.

Mr. Prescott offered, for the consideration of the House, a resolution in the words following :

Whereas, Continued applications are made to the Legislature for charters for Masonic lodges, Odd Fellow lodges and similar organizations, which might be provided for by a general law,

Resolved, That the committee on general laws be and they are hereby requested to report whether any general law now exists which provides for same ; and if not, that they prepare and submit a general act therefor within twenty days.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Fish, and at 1 o'clock and 45 minutes, the House adjourned.

MONDAY, FEBRUARY 18, 1878.

The House met pursuant to adjournment.

Prayer by Rev. D. K. Bartlett.

The journal of Friday, February 15, was read and approved.

The Senate returned the bill entitled as follows :

"An act to amend chapter 324 of the Laws of 1869, entitled 'An act for the election of a receiver of taxes and assessments for the town of Cortlandt and village of Peekskill.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate sent for concurrence the bills entitled as follows :

"An act to amend chapter 467, of the Laws of 1865, entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to provide a salvage corps for the protection of persons and property and against fire, in the city of Brooklyn, and to provide for the maintenance thereof," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Mooers introduced a bill entitled "An act authorizing the construction of a railroad from Lake Champlain to Dannemora prison, and the employment of convict labor thereon, and the management thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on state prisons.

Mr. Skinner introduced a bill entitled "An act to authorize the water commissioners of the city of Watertown to borrow money for the construction of new distributing and pumping mains to and from the reservoirs, and to and through the public square of the city, and other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Worth introduced a bill entitled "An act in relation to the board of police surgeons and the members thereof, of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Mapes introduced a bill entitled "An act to amend an act entitled 'An act to amend an act of the Legislature of the State of New York, entitled An act for the further protection of female employes in the city of New York,' passed April 22, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Seebacher introduced a bill entitled "An act to legalize and confirm the official acts of William Alt, of the city of New York, a notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord introduced a bill entitled "An act to amend an act, chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs Reservation, by the Commissioners of the Land Office,' passed April 18, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufacture of salt.

Mr. North introduced a bill entitled "An act limiting the power of the board of education of the city of Oswego, in the purchase of school sites and the erection of school-houses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Hepburn introduced a bill entitled "An act in relation to elections of directors and trustees of life insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, a bill entitled "An act to amend chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Sutherland introduced a bill entitled "An act declaring certain waters of Stocking Run and Conhocton river a public highway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Bergen presented a petition of citizens of Brooklyn for the passage of the one-cent ferriage bill; which was read and referred to the committee on commerce and navigation.

Mr. Daly presented a memorial of tax-payers and others praying that Tompkins square, in the city of New York, may be restored to its original condition as a park; which was read and referred to the committee on affairs of cities.

Mr. Prescott presented a petition asking reappropriations providing for the erection of canal bridges at Rome by the act of 1876; which was read and referred to the committee on ways and means.

Mr. Brooks presented an application from the Mariners' Asylum; which was read and referred to the same committee.

Mr. Searing presented a petition from the members of the bar of Ulster county to repeal the Code of Civil Procedure; which was read and referred to the committee on the judiciary.

Mr. Wilbor presented a resolution of the board of supervisors of Columbia county in relation to coroners; which was read and referred to the committee on the judiciary.

Also, a resolution of the board of supervisors of Columbia county in relation to tramps; which was read and referred to the same committee.

Also, a resolution of the board of supervisors of Columbia county in relation to town auditors; which was read and referred to the committee on internal affairs.

Messrs. Griggs, Mooers, Loveland, Prescott, Jones, Neilson, and Abbott presented petitions against the modification of the excise laws; which was read and referred to the committee on internal affairs.

Mr. Burns presented a petition in favor of a modification of the excise laws; which was read and referred to the same committee.

Mr. Valentine offered, for the consideration of the House, resolutions in the words following:

"Concurrent resolutions proposing amendments to section 2, section 5 and section 6 of article 3 of the Constitution."

Resolved (if the Senate concur), That section 2 of article 3 of the Constitution, be amended so as to read as follows:

"§ 2. The Senate shall consist of thirty-two members, and the Senators shall be chosen for two years. The Assembly shall consist of one hundred and twenty-eight members, who shall *also be chosen for two years.*"

Resolved (if the Senate concur), That section 5 of article 3 of the Constitution, be amended so as to read as follows:

"§ 5. The Assembly shall consist of one hundred and twenty-eight members elected for *two years*. The members of Assembly shall be apportioned among the several counties of the State by the Legislature, as nearly as may be according to the number of their respective inhabitants, excluding aliens, and shall be chosen by single districts. The Assembly districts shall remain as at present organized, until a *new apportionment shall be made as in this section provided.* The Legislature, at its first session, after the return of every enumeration, shall apportion the members of Assembly among the several counties of the State in the manner aforesaid; and the board of supervisors in such counties as may be entitled under such apportionment to more than one member, except the city and county of New York, and in said city and county the board of aldermen of said city, shall assemble at such time as the Legislature making such apportionment shall prescribe, and divide their respective counties into Assembly districts, each of which districts shall consist of convenient and contiguous territory, equal to the number of members of Assembly to which such counties shall be entitled, and shall cause to be filed in the office of the Secretary of State and the clerks of their respective counties

a description of such districts, specifying the number of each district and the population thereof according to the last preceding enumeration as near as can be ascertained; and the apportionment and districts shall remain unaltered until another enumeration shall be made as herein provided. No town shall be divided in the formation of Assembly districts. Every county heretofore established and separately organized, except the county of Hamilton, shall always be entitled to one member of the Assembly, and no new county shall be hereafter erected unless its population shall entitle it to a member. The county of Hamilton shall elect with the county of Fulton until the population of the county of Hamilton shall, according to the ratio, be entitled to a member. But the Legislature may abolish the said county of Hamilton and annex the territory to some other county or counties. Nothing in this section shall prevent division, at any time, of counties and towns and the erection of new towns and counties by the Legislature."

Resolved (if the Senate concur), That section 6 of article 3 of the Constitution, be amended so as to read as follows:

"§ 6. Each member of the Legislature shall receive for his services an annual salary of *one thousand dollars*. The members of either House shall also receive the sum of one dollar for every ten miles they shall travel in going to and returning from their place of meeting once in each session on the most usual route. Senators, when the Senate alone is convened in extraordinary session, or when serving as members of the court for the trial of impeachments, and such members of the Assembly, not exceeding nine in number, as shall be appointed managers of an impeachment, shall receive an additional allowance of ten dollars a day."

Resolved (if the Senate concur), That the foregoing amendments be referred to the Legislature to be chosen at the next general election of Senators, and that pursuant to section 1 of article 13 of the Constitution, they be published for three months previous to the time of such election."

Ordered, That said resolutions be laid upon the table.

Mr. Hepburn offered, for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That when the Legislature adjourns on Thursday next, it be to meet on the Tuesday following at eleven o'clock, A. M.

Ordered, That said resolution be laid upon the table.

Mr. Prescott offered, for the consideration of the House, a resolution in the words following:

Whereas, There are claims for canal damages, or damage arising from or in connection with the canals of this State, that have been properly filed, but which remain for years uninvestigated and unacted upon,

Resolved, That the Canal Appraisers be and they hereby are requested, within ten days, to prepare and report to this House a complete statement of all such claims now undecided; giving the name and residence of the claimant; the date of filing each claim; the amount claimed; the general nature of the claim; the canal upon which the same arose, and the reason why not acted upon.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hall offered, for the consideration of the House, a resolution in the words following:

Whereas, The present depression in business, contraction in real estate values, and consequent heavy pressure of taxation in New York city,

imperatively demand a material reduction in the expenses of the municipal government of that city; and whereas, it is wise and equitable that a proper discrimination should be observed, in this connection, between salaries which may be justly called luxurious and those which barely suffice for the living neecessities of the employe, be it, therefore,

Resolved, That the committee on cities be requested to report a bill reducing, by not less than twenty-five per cent, all salaries exceeding \$2,000 per annum paid out of the city treasury of New York city which are not protected by the Constitution.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. I. I. Hayes called from the table concurrent resolutions, previously offered by him, in the words following:

“Concurrent resolutions proposing amendments to article 7 of the Constitution.”

Resolved (if the Senate concur), That section 3 of article 7 of the Constitution, be amended so as to read as follows:

“§ 3. The first and second sections of this article having been fully complied with, no tolls shall hereafter be imposed on persons and property transported on the State canals, but all boats navigating the canals, and the owners and masters thereof, shall be subject to such laws and regulations as have been or may hereafter be enacted concerning the navigation of the canals. The Legislature shall annually, by equitable taxes, make provision for the payment of the expenses of the superintendence and repairs of the canals. The canal debt, contracted under the section hereby amended, which, on the first day of October, eighteen hundred and seventy-seven, amounted to nine millions, fourteen thousand, two hundred dollars, shall continue to be known as the ‘canal debt under article seven, section three, of the Constitution;’ and the sinking fund applicable to the payment thereof, together with the contributions to be made thereto, shall continue to be known as the ‘canal debt sinking fund under article seven, section three of the Constitution;’ and the principal and the interest of said debt shall be met as provided in the fifth section of this article. All contracts for work or materials on any canal, shall be made with the person who shall offer to do or provide the same at the lowest price, with adequate security for their performance. No extra compensation shall be made to any contractor, but if from any unforeseen cause, the terms of any contract shall prove to be unjust and oppressive, the Canal Board may, upon the application of the contractor, cancel such contract.”

Resolved (if the Senate concur), That section 5 of article 7 of the Constitution, be amended so as to read as follows:

“§ 5. There shall annually be imposed and levied a tax which shall be sufficient to pay the interest and extinguish the principal of the canal debt, mentioned in the third section of this article, as the same shall become due and payable, and the proceeds of such tax shall, in each fiscal year be appropriated and set apart for the sinking fund, constituted for the payment of the principal and the interest of the aforesaid debt. But the Legislature may, in its discretion, impose for the fiscal year, beginning on the first day of October, eighteen hundred and eighty-one, a State tax on each dollar, of the valuation of the real and personal property in this State, subject to taxation for that year, sufficient with the accumulations of the sinking fund applicable thereto, to pay in full both

the principal and interest of the canal debt before mentioned, and the proceeds of such tax shall be appropriated and set apart for the sinking fund, constituted for the payment of the principal and the interest of said debt. In the event of such action by the Legislature, then the legislature shall, in the law directing the levying and assessment of such tax, make such provision for the retirement of the canal debt as it shall deem equitable and just to the creditors of the State."

Resolved (if the Senate concur), That section 6 of article 7 of the Constitution, be amended so as to read as follows:

"§ 6. The Legislature shall not sell, lease or otherwise dispose of the Erie canal, the Oswego canal, the Champlain canal, or the Cayuga and Seneca canal, but they shall remain the property of the State and under its management forever. All funds that may be derived from any lease, sale, or other disposition of any canal, shall be applied in payment of the canal debt mentioned in the third section of this article."

Resolved (if the Senate concur), That the foregoing amendments be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity with section 1 of article 13 of the Constitution, they be published for three months previous to the time of such election.

Mr. I. I. Hayes moved that said resolutions be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mapes offered, for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That a sufficient number of copies of the bill to establish a Bureau of Labor Statistics be printed for the use of the members of the Legislature.

Ordered, That said resolution be laid upon the table.

Mr. Skinner called from the table a concurrent resolution, previously offered by him, in the words following:

Resolved (if the Senate concur), That section 6 of article 10 of the Constitution be amended so as to read as follows:

"§ 6. The political year and legislative term shall begin on the first day of January, and the Legislature shall every *second* year assemble on the *second* Tuesday in January, unless a different day shall be appointed by law."

Mr. Skinner moved that said resolution be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cormack offered, for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That while this House, by an emphatic vote, has decided against the Bland Silver bill (so called), yet the Legislature of this State, recognizing the right of Congress to regulate the coinage, value, and issue of gold and silver as money, will cheerfully adopt such measures as may be found necessary to conform to the laws of the general government on that subject.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Willers called from the table the concurrent resolutions, previously offered by him, in the words following:

Resolved (if the Senate concur), That section 6 of article 3 of the Constitution be amended so as to read as follows:

"§ 6. Each member of the Legislature shall receive for his services an annual salary of seven hundred and fifty dollars. The members of either House shall, also, receive the sum of one dollar for every ten miles they shall travel in going to and returning from their place of meeting, once in each session, on the most usual and direct route. Senators, when the Senate alone is convened in extraordinary session, or when serving as members of the court for the trial of impeachments, and such members of the Assembly, not exceeding seven in number, as shall be appointed managers of an impeachment, shall receive an additional allowance of eight dollars a day."

Resolved (if the Senate concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators; and that, in conformity to section 1 of article 13 of the Constitution, it be published for three months previous to the time of such election.

Mr. Willers moved that said resolutions be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the order of business third reading of bills.

The bill entitled "An act to legalize the proceedings of the Livingston Town Insurance Company, in the county of Columbia," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	I. I. HAYES	MEAD	REYNOLDS
ALLEN	J. M. CLARK	J. HAYES	MEKEEL	ROBERTS
ALVORD	CORMACK	HENRY	J. H. MILLER	ROWLAND
ANDREWS	COSAD	HEPBURN	S. V. R. MILLER	SAWYER
ASTOR	CRANDALL	HOBBIE	MOLLER	SEEBACHER
BAKER	CRAWFORD	HOLAHAN	MOOERS	SHELDON
BEARD	DALY	HURD	MEYENBORG	SKINNER
BERGEN	DEYOE	JONES	NELSON	STRACK
BERRIGAN	FISH	KEEGAN	NIVEN	SUTHERLAND
BOUCK	FITZGERALD	KING	NORTH	E. TAYLOR
BROOKS	FLOYD-JONES	LANGNER	PATENGILL	TERRY
BROWNING	FOSTER	LOVELAND	CICERO C. PECK	TOWNSLEY
BRUNDGAE	GALVIN	LOWING	PEEK	WILBOR
BURNS	GILBERT	MAPES	PIPER	WILLERS
CHAPPELL	GRADY	MATTISON	POOL	WINCH
CHASE	GRIGGS	MCDONOUGH	PRESCOTT	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making an appropriation to pay certain awards made by the Canal Appraisers, and to pay counsel employed in behalf of the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 81.

NOES 8.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HOLAHAN	NEILSON	SHANLEY
ALLEN	CORMACK	HURD	NIVEN	SHELDON
ALVORD	COSAD	JONES	NORTH	SKINNER
ANDREWS	DALY	KING	PATTENGILL	STORY
ASTOR	FISH	LANGNER	CICERO C. PECK	STRACK
BAKER	FITZGERALD	LOVELAND	DEWITT C. PECK	SUTHERLAND
BERGEN	FLOYD-JONES	MAPES	PEEK	TERRY
BERRIGAN	FOSTER	MATTISON	PIPER	THOMSON
BOUCK	GALVIN	MCDONOUGH	POOL	TOWNSLEY
BROOKS	GILBERT	MEAD	PRESCOTT	VALENTINE
BROWNING	GRADY	MEKEEL	PURDY	WADSWORTH
BRUNDAGE	GRIGGS	J. H. MILLER	ROBERTS	WILBOR
BURNS	HALLIDAY	S. V. R. MILLER	ROWLAND	WILLERS
CHAPPELL	J. HAYES	MOLLER	SAWYER	WILLIAMS
CHASE	HENRY	MOOERS	SEARING	WINCH
CLAPP	HEPBURN	MEYENBORG	SEEBACHER	WORTH
J. CLARK				

Those who voted in the negative, were

BEARD	CRAWFORD	HOBBIE	NELSON	REYNOLDS
CRANDALL	CURRAN	KEEGAN		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced next order of business general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

Senate, "An act to change the name of the American Encaustic Tiling Company in the certificate for the incorporation of said company and the license issued thereunder."

"An act to regulate the sale of intoxicating liquors, wines, ale and beer in the city of New York."

"An act to divide the Third and Seventh wards of the city of Utica, and to create the Eleventh and Twelfth wards therein."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Curran, from said committee, reported progress on the first and second named bills, and asked and obtained leave to sit again.

Mr. Curran, from the same committee, also reported progress on the last named bill ; but, not having gone through therewith, have stricken out the title.

Mr. Speaker put the question whether the House would agree to the report of the committee of the whole, and it was determined in the affirmative.

Mr. Prescott moved to strike out the enacting clause of said bill.

Mr. Alvord moved that said bill be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. I. I. Hays moved that the concurrent resolution relative to the canals be made a special order for Wednesday evening, February 27th, and that a special session be held for that purpose.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend chapter 97 of the Laws of 1867, entitled 'An act

for the incorporation of co-operative and industrial unions,' passed June 24, 1867, and to amend the title thereof."

"An act to amend an act entitled 'An act to allow the trustees, directors or managers of incorporated asylums to bind out orphans or indigent children surrendered to their care,' Laws of 1855, chapter 159.'"

"An act supplemental to the Code of Civil Procedure."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Galvin, from said committee, reported progress on the first and last named bills, and asked and obtained leave to sit again.

Mr. Galvin, from the same committee, also reported in favor of the passage of the second named bill, with amendments, and the title amended by striking out, after the word "amend," the words "An act entitled," and inserting in lieu thereof the words "chapter one hundred and fifty-nine of the Laws of eighteen hundred and fifty-five, entitled;" also, striking out the words "Laws of eighteen hundred and fifty-five, chapter one hundred and fifty-nine," which report was agreed to, and the same ordered engrossed for a third reading.

On motion of Mr. Alvord, and at 9 o'clock and 35 minutes, the House adjourned.

TUESDAY, FEBRUARY 19, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Morrow.

The journal of yesterday was read and approved.

The Senate returned the following entitled bills:

"An act making appropriations for the support of government."

"An act to amend chapter 516 of the Laws of 1867, entitled 'An act for the further protection of female employes in the city of New York.'"

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Brooks, the privileges of the floor were granted to the Hon. Minthorne Tompkins, a former member of the House.

On motion of Mr. Floyd-Jones, the privileges of the floor were granted to the Hon. B. Provost, a former member of the House.

This being the day assigned, under the rule, for the consideration of general orders,

Mr. Speaker announced order of business general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to regulate the sale of intoxicating liquors, wines, ale and beer in the city of New York."

"An act to authorize a tax of three-tenths of a mill per dollar of valuation to provide for a deficiency in the Sinking Fund under article 7, section 3 of the Constitution."

"An act to amend chapter 97 of the Laws of 1867, entitled 'An act for the incorporation of co-operative and industrial unions,' passed June 24, 1867, and to amend the title thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. E. Taylor, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. E. Taylor, from the same committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. E. Taylor, from the same committee, also reported in favor of the passage of the last named bill, with amendments, and the title amended by striking out the figures "97," and inserting in lieu thereof the figures "971"; also, striking out the words "passed June 24, 1867, and to amend the title thereof," which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Speaker presented a communication from the Auditor of the Canal Department, in response to a resolution of the Assembly, as to the expense of maintaining the Black River canal.

On motion of Mr. Alvord, said communication was referred to the committee on canals, and ordered printed.

(See Doc. No. 62.)

Mr. Speaker presented a privileged communication in the words following:

To the Hon. JAMES W. HUSTED, *Speaker of the Assembly*:

SIR — On the 14th instant the Hon. Ambrose H. Purdy offered, for the consideration of the Assembly, a resolution that the undersigned be permitted to address the House in person or by counsel upon the report of the committee on privileges and elections made upon the petition of the undersigned to be declared elected as member of Assembly for the First district of the county of Westchester.

When the resolution was before the House, one of its members, at my request, tendered my thanks to Mr. Purdy for his courtesy, stating, at the same time, that I declined to avail myself of a privilege which would compel the House to depart from its usual course of procedure. The resolution was passed, however, and I beg leave to express to the House my grateful sense of the courtesy extended to me in that respect; but I must still respectfully decline to take advantage of it.

My case has had a full and patient hearing before the committee of your body, to whom the special duty of examining such questions has been delegated, and they have presented the result of their deliberations on the subject. Whenever the House shall be pleased to consider the question, the gentlemen of that committee can present the views that guided them in their report with a much higher claim to the attention and consideration of the House than I can lay any pretensions to, for they will speak with the authority and under the responsibility of impartial judges, while I should be supposed to speak from the stand-point of my own interest.

Again thanking the House, through you, for their kind intentions and courtesy,

I am, very respectfully,

Your obedient servant,

FORDHAM MORRIS.

Dated *February* 19, 1878.

Mr. Alvord moved that the resolution adopted by the Assembly that Fordham Morris and his counsel be given the privileges of the floor, and participate in the debate relative to said contested seat be rescinded.

Debate arising thereon;

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the negative.

On motion of Mr. Alvord, and at 2 o'clock, the House adjourned.

WEDNESDAY, FEBRUARY 20, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Morrow.

The journal of yesterday was read and approved.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to provide for the ordinary repairs of the canals for the calendar year of 1878, in case the revenues shall be insufficient to meet the appropriations for that purpose."

"An act granting free passage through toll-gates and over toll-bridges and ferries, to the national guard."

"An act in relation to coroners' fees, their term of office and post-mortem examinations in Albany county."

"An act to authorize the payment of certain moneys out of the State treasury to Hamilton B. Russell, administrator of Mary McDonald, deceased, heir at law and next of kin of Edward Gleason, deceased."

"An act to repeal a certain portion of chapter 275 of the Laws of 1877, entitled 'An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations.'"

Ordered, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence the bills entitled as follows :

"An act to release the interest of the people of the State of New York in and to all surplus moneys arising from the sale in mortgage foreclosure of certain real estate in the city of Albany, of which Joseph Kirk died seized, to John Kirk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to amend section 1, article 1, title 1, chapter 9 of part 3 of the Revised Statutes, entitled 'Of the writ of habeas corpus and certiorari in certain cases,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the payment of assessments for local improvements in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 438 of the Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

On motion of Mr. Crowley, the privileges of the floor were granted to the Hon. Charles Tabor, a former member of the House.

On motion of Mr. Brundage, the privileges of the floor were granted to Hon. A. Bradnor, a former member of the House.

On motion of Mr. Seebacher, the privileges of the floor were granted to Hon. Dennis Burns, a former member of the House.

On motion of Mr. Nelson, the privileges of the floor were granted to Hon. Wm. Voorhees, a former member of the House.

The privileges of the floor were granted to the Hon. Geo. H. Taylor, a former member of the House.

The Senate returned the bill entitled "An act to legalize and confirm the official acts of George E. Van Derburgh, a justice of the peace of the town of Mamaroneck, in the county of Westchester," with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, strike out all after the word "since," in line 3, down to and including the words "to wit," in line 4, and insert the words "the first day of."

Strike out the word "first," in line 5.

Strike out all after the word "hereby," in line 5, down to and including the word "had," in line 7, and insert in lieu thereof the words "made as legal and valid as they would have been had the said George E. Van Derburgh."

Line 7, after the word "taken," insert the word "subscribed."

Same line, strike out the word "filed," and insert the word "deposited."

Line 8, strike out the word "his," and insert the word "the."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	I. I. HAYES	MOOERS	SEWELL
ALLEN	J. CLARK	J. HAYES	MEYENBORG	SHEARD
ALVORD	J. M. CLARK	HEPBURN	NEILSON	SHELDON
ANDREWS	CONVERSE	HOBBIE	NELSON	SKINNER
ASTOR	CORMACK	HOLAHAN	NORTH	STRACK
BAKER	COSAD	HOYT	NOYES	SUTHERLAND
BEARD	CRANDALL	HULME	PATTENGILL	E. TAYLOR
BERGEN	CROWLEY	HURD	CICERO C. PECK	TERRY
BERRIGAN	DEYOE	JONES	DEWITT C. PECK	THAIN
BERRY	FITZGERALD	KING	PEEK	THOMSON
BOUCK	FLOYD-JONES	LANGNER	PIPER	VALENTINE
BROOKS	FOSTER	LOVELAND	POOL	WARING
BROWNING	GALVIN	MAPES	PRESCOTT	WEMPLE
BRUNDAGE	GRIGGS	MCDONOUGH	PROPER	WHEELER
CASE	HALLIDAY	MEAD	PURDY	WILLERS
CHAPPELL	HAMILTON	MEKEEL	REYNOLDS	WILLIAMS
CHASE	HAVENS	MOLLER	SEEBACHER	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend article 3 of title 3 of chapter 6 of the second part of the Revised Statutes, 'of the duties of executors and administrators in rendering an account and in making distribution to the next of kin,'" with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, line 8, after the word "bonds," insert the word "stocks;" after the word "notes," insert the words "choses in action."

Line 9, strike out the words "not yet due."

Amend the title by inserting, after the word "statutes," the word "entitled."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said

amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. CLARK	HOYT	NELSON	SLITER
ALLEN	J. M. CLARK	HULME	NOYES	STRACK
ALVORD	CORMACK	JONES	PALMER	SUTHERLAND
ANDREWS	COSAD	KEATOR	PATTENGILL	E. TAYLOR
ASTOR	CRAWFORD	KEEGAN	PATTERSON	TERRY
BAKER	DAY	LOVELAND	CICERO C. PECK	THAIN
BATHE	DEYOE	LOWING	DEWITT C. PECK	THOMSON
BERGEN	FISH	MATTISON	PEEK	TOWNSLEY
BERRIGAN	FOSTER	MEAD	PIPER	VALENTINE
BERRY	GALVIN	MEKEEL	PROPER	WARING
BOUCK	GRAHAM	J. H. MILLER	PURDY	WEMPLE
BROOKS	HAMILTON	S. V. R. MILLER	REYNOLDS	WILBOR
BROWNING	HAVENS	MOLLER	ROWLAND	WILLIAMS
BRUNDAGE	HEPBURN	MOOERS	SHELDON	WINCH
CHASE	HOBBIE	MEYENBORG	SKINNER	WORTH
CLAPP	HOLAHAN	NEILSON		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend an act entitled 'An act to incorporate the fire department of the village of Rome, Oneida county,' passed April 12, 1855, and the act as hereby amended shall hereafter be known as An act to incorporate the fire department of the city of Rome, Oneida county," with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, line 1, strike out the words "An act," and insert the words "chapter three hundred and eighty-eight of the Laws of eighteen hundred and fifty-five."

Lines 3 and 4, strike out the words "passed April twelfth, eighteen hundred and fifty-five."

Line 4, after the word "amended, insert the words "so as."

Section 2, line 5, strike out the words "one," "each" and "now."

Same line, after the word "from," insert the word "either."

Amend the title so as to read, "An act to amend chapter 388 of the Laws of 1855, entitled 'An act to incorporate the fire department of the village of Rome, Oneida county.'"

Add, as section 8, the following :

"§ 8. The act, as hereby amended, shall be known as 'An act to incorporate the fire department of the city of Rome, Oneida county.'"

Make "§ 8" "§ 9."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLANCY	HAVENS	NELSON	SHELDON
ALLEN	CLAPP	HEPBURN	NORTH	SKINNER
ALVORD	CONVERSE	HOBBIE	PATTERSON	SLITER

ANDREWS	CORMACK	HOYT	CICERO C. PECK	STORY
ASTOR	COSAD	HULME	DEWITT C. PECK	STRACK
BAKER	CRANDALL	JONES	PEEK	SUTHERLAND
BEARD	CRAWFORD	KEATOR	PIPER	E. TAYLOR
BERGEN	DAY	KEEGAN	POOL	TERRY
BERRIGAN	DEYOE	KING	PRESCOTT	THAIN
BERRY	FISH	LOVELAND	PROPER	THOMSON
BOUCK	FITZGERALD	LOWING	PURDY	WEMPLE
BROOKS	FLOYD-JONES	MATTISON	REYNOLDS	WILBOR
BROWNING	FOSTER	MEKEEL	ROWLAND	WILLERS
BRUNDAGE	GALVIN	MOLLER	SEARING	WILLIAMS
CASE	GRIGGS	MOOERS	SEEBACHER	WINCH
CHAPPELL	HALLIDAY	NEILSON	SHEARD	WORTH
CHASE	HAMILTON			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to repeal chapter 388 of the Laws of 1837, entitled 'An act to incorporate the Leicester Bridge Company,' passed May 11, 1837," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, strike out in lines 4 and 5, the words "passed May 11, 1837."

Line 6, after the word "repealed," insert the words "provided, however, that this act shall not affect any right or rights of action now existing."

Amend the title by striking out the words "passed May 11, 1837."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82. NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HOYT	NORTH	SHELDON
ALLEN	CONVERSE	HULME	NOYES	SKINNER
ALVORD	CORMACK	HURD	PALMER	SLITER
ANDREWS	COSAD	JONES	PATTENGILL	SUTHERLAND
ASTOR	CRANDALL	KEEGAN	CICERO C. PECK	E. TAYLOR
BAKER	DAY	KING	DEWITT C. PECK	TERRY
BEARD	DEYOE	LANGNER	PEEK	THAIN
BERRIGAN	FISH	LOVELAND	PIPER	THOMSON
BERRY	FITZGERALD	LOWING	POOL	TOWNSLEY
BOUCK	FLOYD-JONES	MATTISON	PURDY	VALENTINE
BROOKS	FOSTER	MEAD	REYNOLDS	WADSWORTH
BROWNING	GALVIN	MEKEEL	ROWLAND	WARING
CASE	HALLIDAY	MOLLER	SEARING	WEMPLE
CHAPPELL	HAMILTON	MOOERS	SEEBACHER	WILLERS
CHASE	HAVENS	MEYENBORG	SEWELL	WILLIAMS
CLAPP	HEPBURN	NEILSON	SHEARD	WINCH
J. CLARK	HOBBIE			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

Indefinite leave of absence was granted to Messrs. Brundage, Kern and Kellogg.

Mr. Alvord moved to take from the table the bill entitled "An act relating to diseased animals."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to concur in the amendments made in the Senate to said bill, in the words following :

Section 1, line 1, after the word "shall," insert the word "knowingly."

Line 2, strike out the words "in any place."

Line 4, strike out the words "in any place."

Line 6, after the word "disease," insert the words "by such person known to be."

Line 7, strike out the words "or animals;" also, the words "or injured."

Strike out all after the word "recovery," in line 8, down to and including the word "use," in line 10.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. CLARK	HAVENS	NORTH	SKINNER
ALLEN	J. M. CLARK	HOBBIE	NOYES	SLITER
ALVORD	CONVERSE	HOYT	PALMER	STRACK
ANDREWS	CORMACK	HULME	PATTENGILL	SUTHERLAND
ASTOR	COSAD	HURD	CICERO C. PECK	E. TAYLOR
BAKER	CRANDALL	JONES	DEWITT C. PECK	TERRY
BEARD	CRAWFORD	KEEGAN	PEEK	THAIN
BERGEN	CROWLEY	KING	PIPER	THOMSON
BERRIGAN	DAY	LANGNER	POOL	TOWNSLEY
BERRY	DEYOE	LOVELAND	PRESCOTT	VALENTINE
BOUCK	FISH	LOWING	PROPER	WADSWORTH
BROOKS	FITZGERALD	MATTISON	PURDY	WEMPLE
BROWNING	FLOYD-JONES	MEAD	REYNOLDS	WILBOR
CASE	FOSTER	MEKEEL	ROWLAND	WILLERS
CHAPPELL	FRANK	J. H. MILLER	SEARING	WILLIAMS
CHASE	GRADY	S. V. R. MILLER	SEEBACHER	WINCH
CLANCY	GRIGGS	MOOERS	SEWELL	WORTH
CLAPP	HAMILTON	NIVEN	SHELDON	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

Mr. Alvord, from the committee of conference, to which was referred the matter of difference between the two Houses on Senate bill entitled "An act to provide for the appointment and compensation of deputies and clerks in the Attorney-General's office," having met and duly considered the same, report that they recommend that the Senate concur in the first sentence of the amendment made to said bill by the Assembly as herein modified, viz. : "Any officer hereinbefore authorized to be appointed may be removed by the Attorney-General at pleasure, and another appointed in his stead;" and that the Assembly recede from the residue of said amendment.

W. H. ROBERTSON,
A. P. JONES,
Senate Committee.

THOMAS G. ALVORD,
S. D. HALLIDAY,
S. B. KERN,
JAMES G. GRAHAM,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HAMILTON	MOLLER	SHELDON
ALLEN	CONVERSE	HOBBIE	MOOERS	SKINNER
ALVORD	CORMACK	HOYT	MEYENBERG	SLITER
ANDREWS	COSAD	HULME	NEILSON	SUTHERLAND
ASTOR	CRANDALL	HURD	NELSON	E. TAYLOR
BAKER	CRAWFORD	JONES	NOYES	TERRY
BEARD	DAY	KEATOR	PALMER	THAIN
BERGEN	DEYOE	KEEGAN	PATTENGILL	THOMSON
BERRIGAN	DOUGLASS	KING	PATTERSON	TOWNSLEY
BOUCK	FISH	LANGNER	CICERO C. PECK	VALENTINE
BROOKS	FITZGERALD	LOWING	PEEK	WADSWORTH
BROWNING	FLOYD-JONES	MAPES	PIPER	WEMPLE
BRUNDAGE	FOSTER	MATTISON	PRESCOTT	WILBOR
CHAPPELL	FRANK	MCDONOUGH	PROPER	WILLIAMS
CLANCY	GALVIN	MEAD	PURDY	WINCH
CLAPP	GRAHAM	MEKEEL	SEARING	WORTH
J. CLARK	GRIGGS	J. H. MILLER		

Those who voted in the negative, were

BERRY CHASE

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the report of the committee of conference thereon.

Mr. Speaker announced the special order of the day, being the report of the committee on privileges and elections on the contested seat of Ambrose H. Purdy, claimed by Fordham Morris.

Mr. Alvord moved that the special order of the day be laid upon the table, for the purpose of taking up, as the next order of business, the reports of committees.

Mr. Hepburn moved to amend by inserting, after the word "committees," the words "and concurrent resolution relative to adjournment."

Mr. Graham moved to amend by inserting, after the word "committees," the words "and introduction of bills."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Graham, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hepburn, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, as amended, and it was determined in the affirmative.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Mapes, Int. No. 385, entitled "An act to establish a bureau of labor statistics," reported the same for the consideration of the House, which report was agreed to.

On motion of Mr. Alvord, said bill was ordered printed and recommitted to the committee on ways and means.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Havens, Int. No. 307, entitled "An act to provide for the election of commissioners for loaning certain moneys of the United States in the several counties of this State" (on the ground that the subject-matter has been provided for in another bill), reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Havens, Int. No. 354, entitled "An act to

amend clause 1 of section 5 of the act entitled 'An act to amend the Revised Statutes in relation to summary proceedings to recover possession of land,' passed April 3, 1849," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hoyt, Int. No. 303, entitled "An act to provide for the payment of bonds heretofore issued by the village of Middletown, in the county of Orange, and to create a sinking fund therefor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Edick, Int. No. 42, entitled "An act to authorize the village of Richfield Springs, in the county of Otsego, to refund its funded debt," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Edick, Int. No. 25, entitled "An act to authorize the town of Otsego, in the county of Otsego, to issue bonds to redeem and pay the bonds issued by said town in aid of the Cooperstown and Susquehanna Valley Railroad Company, by virtue of chapter 758 of the Laws of 1865, and by virtue of chapter 422 of the Laws of 1867," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Wilbor, Int. No. 306, entitled "An act in relation to the journals of the Senate and Assembly," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Wilbor, Int. No. 160, entitled "An act in relation to general elections," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Skinner, Int. No. 398, entitled "An act to authorize the water commissioners of the city of Watertown to issue bonds for the purpose of raising funds for the construction of new distributing and pumping mains," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fish, Int. No. 377, entitled "An act to amend the act entitled 'An act concerning the police life insurance fund, and the powers and duties of the police department of the city of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Daly, Int. No. 170, entitled "An act in relation to arrears of taxes in the city of New York, and to provide for the reissuing of revenue bonds in anticipation of such taxes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Worth, Int. No. 399, entitled "An act in rela-

tion to the board of police surgeons, and the members thereof, of the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Daly, Int. No. 102, entitled "An act to confer additional powers upon the common council of the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish moved that the committee on affairs of cities be discharged from the further consideration of the bill introduced by Mr. Mapes (Int. No. 400), entitled "An act to amend an act entitled 'An act for the further protection of female employes in the city of New York,' passed April 22, 1867," and that the same be referred to the committee on the judiciary.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 43, entitled "An act to amend chapter 30 of the Laws of 1873, entitled 'An act to create a board of charities in and for the city of Utica,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, reported the following bills for the consideration of the House:

(Int. No. 182.) "An act to amend an act entitled 'An act to confer additional powers upon the metropolitan police, relating to the inspection of steam boilers,' passed April 9, 1862."

(Int. No. 215.) "An act to amend an act passed April, 1862, entitled 'An act for the better protection of life and property in the city of New York.'"

(Int. No. 366.) "An act to regulate the quality, supply and price of illuminating gas in the cities of New York and Brooklyn, and for the protection of manufacturers and consumers thereof."

(Int. No. 368.) "An act to amend an act entitled 'An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereto, and to amend other acts relating to the city of Troy, passed March 23, 1872; and also to amend chapter 813 of the Laws of 1873, passed June 19, 1873, and also to amend chapter 411 of the Laws of 1875, passed May 21, 1875, and also to amend other acts relating to the city of Troy.'"

Mr. Fish moved that said bills be recommitted to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Waring, Int. No. 66, entitled "An act to repeal chapter 556 of the Laws of 1871, entitled 'An act relating to Queens County Railway Company,' passed April 19, 1871, and to repeal the first section of chapter 633 of the Laws of 1872, entitled 'An act relating to Queens County Railway Company,' passed May 10, 1872," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Willis, Int. No. 301, entitled "An act to authorize the railroad commissioners of the town of Skaneateles to sell and convey the stock owned by said town in the Skaneateles Railroad,

and to provide for the disposition of the proceeds thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Story, Int. No. 147, entitled "An act to extend the time for the completion of the act to authorize the construction of a railroad, from at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East Greenbush, in the county of Rensselaer," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Chappell, Int. No. 209, entitled "An act to amend chapter 104 of the Laws of 1877, entitled 'An act to authorize the treasurer of Monroe county to sell property for unpaid taxes,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred (retaining its place in the order of third reading of bills) the bill introduced by Mr. Allen, Int. No. 24, entitled "An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" reported in favor of the passage of the same, with amendments, and said bill was ordered to a third reading.

Mr. Valentine, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Oakley, Int. No. 19, entitled "An act to amend chapter 147 of the Laws of 1864, entitled 'An act to provide for the erection of a town hall in the town of Jamaica, in the county of Queens,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 159 of the Laws of 1855, entitled 'An act to allow the trustees, directors, or managers of incorporated asylums to bind out orphans or indigent children surrendered to their care.'"

"An act to authorize a tax of three-tenths of a mill per dollar of valuation, to provide for a deficiency in the Sinking Fund under article 7, section 3 of the Constitution."

"An act to amend chapter 971 of the Laws of 1867, entitled 'An act for the incorporation of co-operative and industrial unions, and to amend title of said act.'"

Mr. Hepburn called from the table a concurrent resolution, previously offered by him, in the words following:

Resolved (if the Senate concur), That when the Legislature adjourns on Thursday next, it be to meet on the Tuesday following, at eleven o'clock, A. M.

Mr. Hepburn moved to amend said resolution by striking out the words "eleven o'clock, A. M.," and inserting in lieu thereof the words "eight o'clock, P. M."

Mr. Alvord moved to amend said resolution by inserting, after the word "concur," the words "to meet to-morrow morning at ten o'clock, A. M., adjourn at twelve o'clock, M., until Tuesday next at eleven o'clock, A. M."

Mr. Holahan moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said amendment of Mr. Hepburn, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Hepburn moved that when this House adjourns, it be to meet tomorrow morning at ten o'clock.

Mr. Alvord moved to amend said motion by inserting, after the words "ten o'clock," the words "and adjourn at twelve o'clock, noon."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hepburn, as amended, and it was determined in the affirmative.

Mr. Speaker announced the special order of the day, being the report of the committee on privileges and elections on the contested seat of Ambrose H. Purdy, claimed by Fordham Morris, in the words following:

To the Honorable the Assembly:

Your committee on privileges and elections, to which was referred the petition of Fordham Morris, claiming the seat in the Assembly now held and occupied by Ambrose H. Purdy as member of Assembly for the First Assembly district of the county of Westchester, respectfully report, that the parties and their counsel have appeared before the committee and have all been heard; that upon the investigations before your committee it was first discovered that the return from the first election district of the city and town of Yonkers, as originally returned by the inspectors of election of that district to the county canvassers, showed that the whole number of votes cast in that election district for member of Assembly was 506, which were stated in said return, as follows:

Ambrose H. Purdy received three hundred and eight	308
Fordham Morris received one hundred and eight	198

506

That said return had no ballots attached to it as required by statute; that the board of county canvassers of Westchester county, after effecting their organization, caused this return to be taken back to the inspectors of election of that district, as provided by statute, for correction; that thereupon the inspectors attached to a sheet of paper the specimen ballots so required by statute, and wrote and made return, partly upon said ballots and partly upon said paper, with reference to member of Assembly, that Ambrose H. Purdy received 308 votes, like the one so attached, and that Fordham Morris received 198 votes, like the one attached, which paper they certified by their signatures as inspectors, and attached to the original return as a part of the same, which original return was then returned to the board of county canvassers, and the vote of that election district was canvassed by them, by giving Mr. Purdy 308 votes and Mr. Morris 198.

Your committee, Mr. Piper only dissenting, are of the opinion that the

return from the first election district of the city and town of Yonkers, was properly canvassed by the county canvassers, by counting 308 votes for Mr. Purdy, and 198 votes for Mr. Morris.

Your committee required to be produced before them the original returns of the inspectors of election from each of the election districts in the first Assembly district of the county of Westchester. It was conceded by both parties that the board of county canvassers correctly canvassed and estimated the vote as to member of Assembly in each election district, except the sixth and eighth districts in the Twenty-third ward of the city of New York, and the first district of the city and town of Yonkers.

It appears from the evidence before your committee, that the whole number of votes cast for member of Assembly in this Assembly district was 7,222; that the board of county canvassers, in the canvass of said vote, gave to Ambrose H. Purdy 3,600 votes, and to Fordham Morris 3,588 votes, leaving thirty-four votes which were counted for neither in the final canvass, but which appeared by the returns to have been returned to the county canvassers as follows :

In the sixth election district of the Twenty-third ward :	
Fordham H. Morris	1
Fordham Morris, irregular.....	19
In the eighth election district of the twenty-third ward :	
Fordham Morris.....	13
Ambrose H. Purdy.....	1
Total.....	<u>34</u>

That the nineteen votes returned from the sixth election district "irregular," and not counted for Fordham Morris, were, as appears, returned and not counted for Mr. Morris by the county canvassers, for the reason that the words "of the county of Westchester" were not at the head of the ballot, the same being upon all the other ballots in that election district; that the thirteen votes returned from the eighth election district of the Twenty-third ward, and not counted for Mr. Morris, were rejected for the same reason; and it also appears that in this district one vote was not counted for Ambrose H. Purdy for the same reason.

Your committee are unanimously of the opinion that the words "of the county of Westchester" so omitted from the head of the said ballots were not required as a portion thereof by any law of this State, and that the ballots were complete without them, and that it was the duty of the inspectors of election of the said sixth and eighth districts to have counted and returned the said nineteen and thirteen ballots for Fordham Morris and the said one ballot for Ambrose H. Purdy, and that it was the duty of the board of county canvassers of Westchester county to have counted and estimated the said ballots for Mr. Morris and Mr. Purdy respectively.

If a correct canvass of the whole vote had thus been made, it would have resulted as follows :

Fordham Morris.....	3,620
Ambrose H. Purdy.....	3,601
Fordham H. Morris	1
Total	<u>7,222</u>

And that, therefore, the certificate of election should have been awarded by the board of county canvassers to Fordham Morris.

On the part of Mr. Purdy it is insisted, that there were frauds and irregularities in the election in different districts, which he claims he can prove, and by which he asserts he can establish that he was in fact elected.

It is entirely just and proper that Mr. Purdy should be allowed to present any testimony he may have bearing upon the question of his election, and that he should be awarded the seat if he shall be able to prove that he is entitled to it. But it appears to your committee equally just and clear, upon the plainest principles of justice and equity, that Mr. Morris should be awarded his seat at this time, of which he is deprived by a palpable violation of law and duty; and that Mr. Purdy should be placed in the same position that he would have been in had the county canvassers observed the law and performed their duty.

Your committee, therefore, report and recommend the adoption of the following resolution:

Resolved, That Fordham Morris is entitled to and is hereby awarded the seat in the Assembly now held and occupied by Ambrose H. Purdy as member of Assembly from the First Assembly district of the county of Westchester, and that the said Ambrose H. Purdy be at liberty to contest such seat if he shall desire to do so.

Dated *February* 8, 1878.

GEO. L. TERRY,
L. B. KERN,
JAMES G. GRAHAM,
O. D. PRESCOTT,
JOSEPH P. STRACK,
HAMILTON FISH, JR.,
Committee.

Mr. Terry moved that when this House takes a recess to-day, it be until 7½ o'clock this evening, and that the report of the committee on privileges and elections on the contested seat of Ambrose H. Purdy be made a special order for that session.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker presented a communication from the Comptroller, in response to a resolution of the Assembly, in reference to auctioneers' duties.

On motion of Mr. Alvord, and by unanimous consent, said communication was referred to the committee on ways and means, and ordered printed.

(*See Doc. No. 64.*)

Also, a communication from the Comptroller, in response to a resolution of the Assembly, in reference to the expense of construction and maintenance of the canals.

On motion of Mr. Alvord, and by unanimous consent, said communication was referred to the committee on canals, and ordered printed.

(*See Doc. No. 65.*)

Also, a communication from the Comptroller, in response to a resolution of the Assembly, in reference to bills created by the Insurance Department; which was laid upon the table and ordered printed.

(*See Doc. No. 63.*)

Mr. Williams introduced a bill entitled "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Langner introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Hall Association of the Order Der Freiheit of the city of Buffalo,' passed April 11, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Hurd introduced a bill entitled "An act to amend section 33 of chapter 256 of the Laws of 1877, entitled 'An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Clapp introduced a bill entitled "An act to amend chapter 226 of the Laws of 1849, entitled 'An act to enforce the responsibility of stockholders in certain banking corporations and associations, as prescribed by the Constitution, and to provide for the prompt payments of demands against such corporations and associations,' passed April 5, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Gilbert introduced a bill entitled "An act to create a board of railroad commissioners, and to regulate their powers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Sheard introduced a bill entitled "An act to amend the charter of the village of Little Falls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on villages.

Mr. Bergen introduced a bill entitled "An act in relation to the assessment for the repavement of Atlantic-avenue with granite pavement, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the town of Hempstead, in Queens county, to Richard Ingraham," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to define the terms upon which foreign insurance companies may transact the business of fire insurance in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, a bill entitled "An act prescribing the form and condition of the tracks to be maintained by all elevated railway companies in any of the cities, towns, or villages of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Bathe introduced a bill entitled "An act authorizing the payment of rent due for the use and occupation of certain buildings in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Seebacher introduced a bill entitled "An act for the better protection of journeymen, laborers and certain other male employes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Jones introduced a bill entitled "An act to forbid the letting of public work by contract, and to further protect workingmen and laboring people employed on any public work within the limits of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Graham introduced a bill entitled "An act to authorize the board of education of Union Free School district No. 2 of the town of Highlands, in the county of Orange, to raise money for the purchase of a school-house and site," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, a petition on the same subject; which was read and referred to the same committee.

Also, a bill entitled "An act to extend the jail limits of Orange county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Case introduced a bill entitled "An act to repeal subdivision 3 of section 2 of chapter 769 of the Laws of 1857, and chapter 530 of the Laws of 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Fish introduced a bill entitled "An act in relation to the duties of assessors and commissioners of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Neilson introduced a bill entitled "An act to authorize the Boston, Hoosic Tunnel and Western Railway Company to establish and maintain a toll-bridge across the Hudson river, near the village of Mechanicville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Brundage introduced a bill entitled "An act to amend section 1 of chapter 381 of the Laws of 1873, entitled 'An act for the preservation of fish in waters lying within or bordering upon the counties of Schuyler, Steuben, Chemung, Seneca, Yates and Ontario,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Halliday introduced a bill entitled "An act to amend chapter 807 of the Laws of 1873, entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,' as amended by chapter 458 of the Laws of 1875, and to extend the provisions thereof to the other counties of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Moller introduced a bill entitled "An act to amend section 50 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker introduced a bill entitled "An act providing for reports of births, marriages and deaths, the registry of vital statistics, and the regulation of interments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Speaker introduced a bill entitled "An act to authorize the common council of the city of New York to change the name of the boulevard in that city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a petition from the law department of the city of New York; which was read and referred to the same committee.

Mr. Purdy introduced a bill entitled "An act for the relief of R. T. Ford and M. R. Stevens, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hurd introduced a bill entitled "An act to authorize the construction of a bridge over the Erie canal at Tonawanda, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Pool introduced a bill entitled "An act to amend an act entitled 'An act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Pool introduced a bill entitled "An act providing for compensation for services rendered by attorneys in certain criminal cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Pattengill introduced a bill entitled "An act to confirm the official acts of Samuel H. Case, John M. Watkins and William W. Snow, commissioners of excise in and for the town of Oneonta, in the county of Otsego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to legalize and confirm the official acts of William W. Snow, trustee, and president of the board of trustees of the village of Oneonta, in the county of Otsego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. I. I. Hayes introduced a bill entitled "An act to amend chapter 395 of the Laws of 1874, and to ratify, adopt and confirm the acts and proceeding of the commissioners for building Highland avenue, in the county of Rockland, and those of the commissioners of awards of said avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Alvord, and at 1 o'clock and 45 minutes, the House took a recess until 7 o'clock and 30 minutes, P. M.

HALF-PAST SEVEN O'CLOCK, P. M.

The House again met.

Mr. Speaker stated the pending question to be on agreeing to the report of the committee on privileges and elections.

Mr. Herring, counsel for Mr. Fordham Morris, appeared and requested that the case of Fordham Morris, contestant for the seat as member of Assembly for the First district of Westchester county, now held by Ambrose H. Purdy, be recommitted to the committee on privileges and elections, for the purpose of further taking of testimony therein.

Whereupon,

Mr. Terry offered, for the consideration of the House, a resolution in the words following:

Resolved, That the matter of the claim of Fordham Morris to the seat of Ambrose H. Purdy as member of Assembly for the First Assembly district of Westchester county be, and the same is hereby recommitted to the committee on privileges and elections, with instructions to take proof as to all the matters alleged in the answer of the sitting member to the petitioner's specifications.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Alvord, and at 7 o'clock and 35 minutes, the House adjourned.

THURSDAY, FEBRUARY 21, 1878.

The House met pursuant to adjournment.

Prayer by Rev. J. E. C. Sawyer.

The journal of yesterday was read and approved.

The Senate returned the bills entitled as follows:

"An act to amend article 3 of title 3 of chapter 6 of the second part of the Revised Statutes, entitled 'Of the duties of executors and administrators in rendering an account and in making distribution to the next of kin.'"

"An act to legalize and confirm the official acts of George E. Van Derburgh, a justice of the peace of the town of Mamaroneck, in the county of Westchester."

"An act to repeal chapter 388 of the Laws of 1837, entitled 'An act to incorporate the Leicester Bridge Company.'"

"An act relating to diseased animals."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the resolution relative to an adjournment, with a message that they had concurred in the passage of the same.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That 1,000 copies of the Annual Report of the Board of Managers of the State Reformatory at Elmira, be printed for the use of the managers of that institution.

Ordered, That said resolution be referred to the committee on public printing.

The Senate sent for concurrence the bill entitled as follows:

"An act to amend article 3, title 1, of chapter 8, part 2 of the Revised Statutes, entitled 'Of divorces, dissolving the marriage contract,' " which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

This being the day assigned, under the rule, for the consideration of general orders,

Mr. Speaker announced the next order of business general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act further to amend section 2 of title 2 of chapter 13 of part 1 of the Revised Statutes, entitled 'Of the assessment and collection of taxes,' and to amend chapter 427 of the Laws of 1855, entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes.'"

"An act to amend an act entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy.'"

"An act to amend section 1 of chapter 803 of the Laws of 1868, entitled 'An act to amend the acts to provide for the incorporation of religious societies, so far as the same relate to churches in connection with the Protestant Episcopal Church.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Keator, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Keator, from the same committee, also reported in favor of the passage of the second named bill, with the title amended so as to read "An act in relation to the officers and medical staff of Willard Asylum for the Insane," which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Keator, from the same committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Fish moved that said bill be recommitted to the committee on charitable and religious societies, with instructions to strike out the enacting clause.

And whereupon,

Mr. Fish moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

By unanimous consent,

Mr. Sheard offered, for the consideration of the House, resolutions in the words following:

Whereas, We know that the agitation in Congress in relation to the modification of our present tariff laws, is injurious to our business enterprises, by producing a state of uncertainty which may, in itself, prove destructive to that slowly returning confidence so desirable and requisite in building up the waste places of our manufacturing and mechanical interests, and enabling the large amount of capital, now otherwise idle, to give labor to the many thousands of workingmen now out of employment, whose families are now hungering for the want of the same; therefore,

Resolved (if the Senate concur), That it is the belief of the people of the State of New York, in Senate and Assembly represented, that it is

unwise, unpatriotic and detrimental to the best interest of the country generally, to interfere, at this time with our tariff laws.

Resolved (if the Senate concur), That we condemn, both in principle and spirit, what is known as the "Wood Tariff bill," now pending before Congress.

Resolved (if the Senate concur), That a copy of these resolutions be sent to our senators and representatives in Congress.

Ordered, That said resolutions be laid upon the table.

By unanimous consent,

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Brooks, Int. No. 290, entitled "An act to authorize the merging of corporations organized under the act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853, and of the acts amending or extending the same," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Hepburn, Int. No. 406, entitled "An act in relation to election of directors and trustees of life insurance companies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. J. G. Graham, Int. No. 332, entitled "An act in relation to life and fire insurance companies, associations or partnerships incorporated by, or organized under the Laws of any other State of the United States, or foreign government, doing business in the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Hurd, Int. No. 262, entitled "An act amending section 1, chapter 209 of the Laws of 1877, entitled 'An act regulating the amount of capital stock for fire and marine insurance companies,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hepburn introduced a bill entitled "An act to amend chapter 465 of the Laws of 1877, entitled 'An act to amend the Revised Statutes in relation to the laying out of public roads and the alteration thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Hepburn offered, for the consideration of the House, a resolution in the words following:

Resolved, That, in addition to the information required of the Canal Appraisers by resolution of the Assembly adopted on the 18th instant, the said Canal Appraisers be and they are hereby requested to report, also, the whole number of claims filed in each year, commencing with 1870 and ending 1877, with the amount claimed; and, also, the number of claims heard in each of those years; the amount claimed, the amount awarded, and the amount disallowed.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Thain, Int. No. 356, entitled "An act for the better security of personal liberty," reported the same for the consideration of the House.

On motion of Mr. Gilbert, and by unanimous consent, said bill was ordered printed and recommitted to the committee on the judiciary.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill, Int. No. 48, entitled "An act to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Speaker announced the appointment of David J. Twohey as correspondent of the New York News in the place of Henry E. Lynch, resigned.

On motion of Mr. Alvord, and at 11 o'clock and 35 minutes, the House adjourned.

TUESDAY, FEBRUARY 26, 1878.

The House met pursuant to adjournment.

Prayer by Rev. J. E. C. Sawyer.

The journal of Thursday, February 21, was read and approved.

Mr. Speaker offered, for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 23, entitled "An act to amend chapter 324 of the Laws of 1869, entitled 'An act for the election of a receiver of taxes and assessments for the town of Cortlandt and village of Peekskill,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Converse, the privileges of the floor were granted to the Hon. Wm. I. Cornell.

Mr. Speaker presented a communication from the Attorney-General, in response to a resolution of the Assembly, relative to legislation for the better protection of savings bank depositors; which was referred to the committee on banks, and ordered printed.

(See Doc. No. 69.)

Mr. Speaker presented a communication from the president of the board of education of the city of New York, in the words following: "Cannot send the information called for by the resolution of Assembly, with reference to this board, before the beginning of next week."

Mr. Alvord moved that the time be extended ten days.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the order of business general orders.

Mr. Daly moved that the Assembly bill entitled "An act to regulate the sale of intoxicating liquors, wines, ales and beer, in the city of New

York," be made a special order for Thursday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Speaker, and by unanimous consent, the Military Association of the State of New York was granted the use of the Assembly Chamber for Thursday evening next.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 150 of the Laws of 1837, entitled 'An act authorizing the loan of certain moneys belonging to the United States, deposited with the State of New York for safe keeping.'"

"An act to amend chapter 386 of the Laws of 1851, entitled 'An act to amend, consolidate, and reduce to one act the various acts relative to common schools of the city of New York,' passed July 3, 1851, and the several acts amendatory thereof."

"An act to authorize the city of Elmira to issue bonds for the payment of certain other bonds of said city, falling due on or before November 1, 1878."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Keegan, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Alvord moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

And thereupon,

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative, as follows:

AYES 58.

NOES 14.

Those who voted in the affirmative, were

ABBOTT	DALY	HOYT	PALMER	SKINNER
ALVORD	DOUGLASS	JONES	PARKER	STORY
ANDREWS	FITZGERALD	KEEGAN	CICERO C. PECK	E. TAYLOR
BOUCK	FLOYD-JONES	KELLOGG	DEWITT C. PECK	THOMSON
BROOKS	FOSTER	KERN	POOL	TOWNSLEY
BRUNDAGE	GALVIN	LOVELAND	ROBERTS	VALENTINE
BURNS	GRADY	MATTISON	ROWLAND	WADSWORTH
CASE	HALLIDAY	MCDONOUGH	SAWYER	WILBOR
CLAPP	HAMILTON	MEKEEL	SEARING	WILLERS
CONVERSE	HAVENS	MOOERS	SEEBACHER	WILLIS
COSAD	HEPBURN	NORTH	SHELDON	WORTH
CURRAN	HOLBROOK	NOYES		

Those who voted in the negative, were

BEARD	BERRY	GILBERT	I. I. HAYES	REYNOLDS
BERGEN	DEYOE	GRAHAM	HULME	SHEARD
BERRIGAN	FRANK	GRIGGS	MAPES	

Said bill was then ordered engrossed for a third reading.

Mr. Keegan, from the same committee, also reported in favor of the passage of the two last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

The Senate returned the following resolution, with a message that they had concurred in the passage of the same :

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 23, entitled "An act to amend chapter 324 of the Laws of 1869, entitled 'An act for the election of a receiver of taxes and assessments for the town of Cortlandt and village of Peekskill,'" for amendment.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received and read, from the Governor, in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *February 26, 1878.* }

To the Assembly :

In accordance with a joint resolution of the Senate and Assembly, I return, for amendment, Assembly bill No. 23, entitled "An act to amend chapter 324 of the Laws of 1869, entitled 'An act for the election of a receiver of taxes and assessments for the town of Cortlandt and village of Peekskill.'"

L. ROBINSON.

Ordered, That said communication be laid upon the table.

The Senate sent for concurrence the bills entitled as follows :

"An act requiring justices of the peace to give bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 328 of the Laws of 1868, entitled 'An act to amend and continue in force an act entitled An act to incorporate an association for the relief of respectable, aged, indigent females in the city of New York,' passed March 10, 1815, and the acts continuing in force and amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

The Senate returned the bill entitled "An act to provide for the appointment and compensation of deputies and clerks in the Attorney-General's office," with a message that they had agreed to the report of the conference committee thereon.

Ordered, That the Clerk return said bill to the Senate.

The Senate sent for concurrence the bill entitled as follows :

"An act to amend chapter 857 of the Laws of 1872, entitled 'An act to amend an act entitled An act to incorporate the Poughkeepsie Bridge Company for the purpose of constructing and maintaining a bridge, appurtenances, and approaches to the same over the Hudson river at a point or points between the city of Poughkeepsie and the town of Lloyd, Ulster county, on said river,' passed May 10, 1871," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hulme, and by unanimous consent, said bill was ordered to a third reading.

On motion of Mr. Alvord, and at 10 o'clock and 35 minutes, the House adjourned.

WEDNESDAY, FEBRUARY 27, 1878.

The House met pursuant to adjournment.

Prayer by Rev. David L. Schwartz.

The journal of yesterday was read and approved.

The Senate returned the bill entitled as follows :

“An act to amend chapter 388 of the Laws of 1855, entitled ‘An act to incorporate the fire department of the village of Rome, Oneida county.’”

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Graham, the privileges of the floor were granted to the Hon. Mr. Niven.

Mr. Berry introduced a bill entitled “An act to amend chapter 184, Laws of 1839, entitled ‘An act in relation to trusts for the benefit of the meetings of the religious society of Friends,’ passed April 17, 1839,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Foster introduced a bill entitled “An act to amend chapter 509 of the Laws of 1873, and other acts regulating the sale of ales, wines, beer and intoxicating liquors,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Bergen introduced a bill entitled “An act to further amend the act entitled ‘An act authorizing the incorporation of rural cemetery associations,’ passed April 27, 1847,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a bill entitled “An act for the relief of John Brady,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled “An act to legalize the acts of Miles H. Bergen as notary public,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a petition on the same subject ; which was read and referred to the same committee.

Mr. Flynn introduced a bill entitled “An act to authorize the city of Brooklyn to pay to John McCloskey the proper cost of a certain temporary sewer or drain in Hicks street, connecting with Hamilton avenue sewer, constructed by said McCloskey under a resolution of award of the common council of said city,’ passed October 25, 1869,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Willis introduced a bill entitled “An act in relation to the election of officers in certain school districts,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Alvord introduced a bill entitled “An act relative to the publication of legal notices and advertisements in newspapers published on Sunday,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Winch introduced a bill entitled “An act to amend section 19 of chapter 628 of the Laws of 1857, entitled ‘An act to suppress intemper-

ance and crime, and regulate the sale of intoxicating liquors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Neilson introduced a bill entitled "An act to amend an act entitled 'An act authorizing the trustees of the village of Ballston Spa to issue bonds to be known as "extended water bonds," to pay a portion of the water bonds now outstanding of said village, maturing in the year 1877 and thereafter,' being chapter 100 of the Laws of 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, "An act authorizing the courts of oyer and terminer and the courts of sessions of the county of Saratoga, to direct payment of clerk hire in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Searing introduced a bill entitled "An act for the protection of fish in Esopus creek and its tributaries, in the county of Ulster," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Also, a bill entitled "An act to amend an act entitled 'An act to revise and consolidate the several acts relating to public instruction,' passed May 2, 1864, as amended by an act passed April 16, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Moller introduced a bill entitled "An act to authorize the New York Protestant Episcopal public school to mortgage real estate in the Nineteenth ward of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to authorize the Mutual Fire Insurance Company to unite a cash capital, and to provide for its participation in their business," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Grady introduced a bill entitled "An act to amend chapter 617 of the Laws of 1873, entitled 'An act regulating the deposit of securities by plate-glass insurance companies,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Waring introduced a bill entitled "An act to provide for a better administration of the public charities in the county of Kings, and for the creation of a department of public charities therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Keegan introduced a bill entitled "An act in relation to the local judiciary of Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a resolution of the board of aldermen of said city on the same subject; which was read and referred to the same committee.

Also, a bill entitled "An act in relation to the city government of Long Island City," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on affairs of cities.

Also, presented a resolution of the board of aldermen of said city on the same subject; which was read and referred to the same committee.

Also, "An act to repeal an act entitled 'An act to create a metropolitan sanitary district and a board of health therein, for the preservation of life and health, and to prevent the spread of disease,' passed May 26, 1866, so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town, and defining its powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, presented a petition of the town board of Newtown on the same subject; which was read and referred to the same committee.

Mr. Allen introduced a bill entitled "An act to amend chapter 555 of the Laws of 1864, relating to public instruction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Curran introduced a bill entitled "An act to abolish the office of school commissioner in the several counties and commissioner's districts of this State, and to create the office of town superintendent of common schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Griggs introduced a bill entitled "An act for the further security of mechanics' liens and furnishing materials mentioned in this act, which shall apply only to the city and county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Moller, on behalf of Mr. Purdy, introduced a bill entitled "An act to amend chapter 721 of the Laws of 1873, entitled 'An act to authorize the city of Yonkers to issue bonds for the purpose of raising money to construct bridges over water-courses in said city,' passed June 11, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act in relation to the redemption of lands in the city of Yonkers from sales for unpaid taxes and assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act in relation to the City Court of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend chapter 35 of the Laws of 1873, entitled 'An act to re-enact and amend an act entitled An act to incorporate the city of Yonkers,' passed June 1, 1872, passed February 28, 1873, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Thain introduced a bill entitled "An act to amend an act entitled 'An act to authorize the formation of gas-light companies,' passed February 16, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Converse introduced a bill entitled "An act to prevent the use of criminal process in the collection of debts," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hurd introduced a bill entitled "An act to amend chapter 74 of the Laws of 1877, entitled 'An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of the State of New York,' and to provide for the incorporation of subordinate lodges of such order," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Curran introduced a bill entitled "An act for the erection of an iron bridge over the Champlain canal at Cohoes, in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Moller, Int. No. 186, entitled "An act in relation to the keeping open of the office of the county clerk or register in the several counties of this State," reported adversely thereto, which report was agreed to.

Mr. Graham, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Lippitt, Int. No. 32, entitled "An act to amend chapter 530 of the Laws of 1865, entitled 'An act to incorporate the Legal Protection Society, of the town of Madison, Madison county,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mooers, from the committee on state prisons, to which was referred the bill introduced by Mr. Mooers, Int. No. 397, entitled "An act authorizing the construction of a railroad from Lake Champlain to Dannemora prison, and the employment of convict labor thereon and the management thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mooers moved that said bill be printed and referred to the committee on ways and means, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Day, the privileges of the floor were granted to the Hon. Asher P. Nichols and E. Carlton Sprague.

By unanimous consent,

Mr. Bergen introduced a bill entitled "An act to amend an act entitled 'An act in relation to making and repairing highways and bridges, in the towns of Flatbush and New Utrecht, in Kings county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent,

Mr. Brooks introduced a bill entitled "An act to protect the Sea-side boulevard and meadows adjacent thereto, on the south shore of Staten Island, and to prevent the same from being injured or overflowed by the waters of the bay of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent,

Also, a bill entitled "An act supplemental to an act entitled 'An act supplemental to an act entitled An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Moller moved to take from the table the adverse report of the committee on the judiciary in the words following:

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Moller, Int. No. 64, entitled "An act in relation to the keeping open of certain public offices in the county of Westchester," reported adversely thereto.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Moller moved to disagree with the report of the committee, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Willers, Graham and Converse presented petitions in favor of the modification of the excise laws; which were read and referred to the committee on internal affairs.

Messrs. Wemple, Berry, Browning, Parker, Mapes, E. Taylor, Roberts, J. H. Miller, Havens, Bouck, Mekeel, Halliday, Abbott, Valentine, Neilson, Mead, Niven, Palmer, Rowland, Proper, Willis, Waring, Thomson, C. C. Peck, Gilbert, Hulme, Cormack, Noyes, Alvord, Cosad, Graham, Keegan, Mattison, Chase and Terry presented petitions against any modification of the excise laws; which were read and referred to the committee on internal affairs.

Messrs. Willis and Alvord presented remonstrances of citizens of Onondaga county against any amendment of the laws in regard to savings banks; which were read and referred to the committee on banks.

Mr. Case presented a remonstrance of citizens of Oswego county on the same subject; which was read and referred to the same committee.

Messrs. Willers, Brundage, Reynolds, Curran, Chappell and E. Taylor presented petitions in favor of an amendment of the assessment laws in reference to taxation of personal property; which were read and referred to the committee on ways and means.

Mr. Gilbert presented a petition in relation to mode of collecting taxes; which was read and referred to the committee on the judiciary.

Mr. Crowley presented a remonstrance of citizens of Erie county, against the passage of the savings bank bill; which was read and referred to the committee on banks.

Mr. Mattison presented a petition of Ray B. Holsenburgh for canal damages; which was read and referred to the committee on canals.

Mr. Keegan presented a petition of the democratic general committee of Long Island City, for the passage of the bill reducing the rate of ferriage on the Thirty-fourth street ferry; which was read and referred to the committee on commerce and navigation.

Mr. Brundage presented a petition of citizens of Steuben county in relation to the fish laws; which was read and referred to the committee on game laws.

Mr. Halliday presented a remonstrance of citizens of Tompkins county against any change in the school commissioner districts in said county; which was read and referred to the committee on public education.

Mr. Speaker presented three petitions for the abolition of county jails as prisons for convicts; which were read and referred to the committee on the judiciary.

Mr. Parker presented a memorial of the Chautauqua Sportsmen's Association of Jamestown, Chautauqua county, N. Y., praying that the present laws for the preservation of fish in Chautauqua lake be not repealed; which was read and referred to the committee on game laws.

Also, a petition of citizens of Chautauqua county against the repeal of the existing laws for the preservation of fish in Chautauqua lake; which was read and referred to the same committee.

Mr. Williams presented a petition of citizens of the town of Ellery, Chautauqua county, for the repeal of the laws prohibiting fishing in Chautauqua lake; which was read and referred to the committee on game laws.

Mr. Sheard presented a petition of George Heath in relation to the tumble gates now being introduced in the locks of the canals of this State; which was read and referred to the committee on canals.

Mr. C. C. Peck presented a petition of citizens of Greene county in regard to the preservation of fish; which was read and referred to the committee on game laws.

Mr. Berry presented a remonstrance of the members of the dental profession of this State against the passage of the bill to regulate the practice of dentistry in this State; which was read and referred to the committee on general laws.

Mr. Curran presented petitions for the repeal of the law providing for the appointment of patrolmen of the town of Watervliet; which were read and referred to the committee on internal affairs.

Mr. Fish offered, for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That Peter Cooper, Moses Taylor, Charles A. Dana, Daniel Parish, George Jones, Frederick D. Tappen, Thomas B. Connery, Frederick A. Conkling, Oswald Ottendorfer, Benjamin H. Field, Wm. Cullen Bryant, Wm. H. Hurlbut and Whitelaw Reid, be and they are hereby appointed a commission to meet at as early a day after the passage of this concurrent resolution, as may be practicable, in the Governor's room, in the City Hall of the city of New York, then and there to organize by taking and subscribing the usual constitutional oath of office, and appointing a president and secretary, and to proceed forthwith to examine the pay-rolls and lists of all the officers and employes of the government of the city and county of New York, judicial, executive, administrative and legislative, and then to scale the prices and salaries and pay to be fixed and paid to them severally and respectively, and to report to the Legislature, now in session, within ten days from their organization, or as soon as practicable, by bill or otherwise, for the reduction of such salaries of such officers and employes, as they may deem proper to be reduced, and the fixing the amount of salaries and pay to be allowed and paid to such officers and employes retained severally and respectively; and, also, to abolish all existing sinecure positions, and all unnecessary offices and employments now existing and drawing salaries and pay from the treasury of said city or county. The necessary expenses of said commission, including the pay of the secretary thereof, and of one stenographer and necessary stationery shall be paid out of any "unexpended balances," funds of said city or county in

the treasury thereof, upon being certified to the comptroller of said city, by the president and secretary of the said commission.

On motion of Mr. Brooks, and by unanimous consent, said resolution was referred to the committee on affairs of cities.

Mr. Cosad offered, for the consideration of the House, a resolution in the words following:

Resolved, That the Adjutant-General be and he is hereby respectfully requested to inform this House what amount of moneys have been recovered by this State from the United States as reimbursement on account of moneys disbursed by this State for military and other war purposes during the late war (1861 to 1865), and to what fund or funds said moneys so recovered have been applied; also, what amount the State has expended in salaries or percentages and disbursements in respect to such application for reimbursement; and further, what clerks and agents are now employed by the State in connection with such work, and at what compensation; together with any information in his possession as to the probable amount for which re-imbursement may yet be asked.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Daly called from the table a resolution, previously offered by him, in the words following:

Whereas, The present depression in business, contraction in real estate values, and consequent heavy pressure of taxation on New York city, imperatively demand a material reduction in the expenses of the municipal government of that city; and whereas, it is wise and equitable that a proper discrimination should be observed, in this connection, between salaries which may be justly called luxurious and those which barely suffice for the living necessities of the employe; be it, therefore,

Resolved, That the committee on cities be requested to report a bill reducing, by not less than twenty-five per cent, all salaries exceeding \$2,000 per annum paid out of the city treasury of New York city which are not protected by the Constitution.

Mr. Daly offered a substitute for said resolution in the words following:

Resolved, That the committee on affairs of cities, be requested to report a bill by which an aggregate saving of twenty-five per cent on all salaries over \$2,000, paid to officials in the employ of the municipal government of the city of New York, may be effected; and that such reduction be graded, as nearly as possible, in accordance with the hours of duty and character of service rendered.

Mr. Brooks moved to refer said substitute to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows:

AYES 37.

NOES 58.

Those who voted in the affirmative, were

ALLEN	COSAD	GRADY	MEAD	ROBERTS
BATHE	CRAWFORD	HAMILTON	MEKEEL	SEARING
BERRIGAN	CROWLEY	HENRY	MEYENBORG	SEEBACHER
BOUCK	CURRAN	KEEGAN	NELSON	THAIN
BROOKS	DAY	KELLOGG	PATTENGILL	THOMSON
BROWNING	FLOYD-JONES	LANGNER	CICERO C. PECK	TOWNSLEY
J. CLARK	FOSTER	MCDONOUGH	PROPER	WILLERS
CONVERSE	GALVIN			

Those who voted in the negative, were

ABBOTT	CRANDALL	HULME	NORTH	SKINNER
ALVORD	DALY	JONES	NOYES	STRACK
ANDREWS	DEYOE	KEATOR	DEWITT C. PECK	SUTHERLAND
ASTOR	FISH	KERN	PEEK	TERRY
BEARD	FITZGERALD	LOVELAND	POOL	VALENTINE
BERGEN	FLYNN	LOWING	REYNOLDS	WADSWORTH
BERRY	GRAHAM	MAPES	ROWLAND	WARING
BRUNDAGE	GRIGGS	MATTISON	SAWYER	WEMPLE
CASE	J. HAYES	J. H. MILLER	SEWELL	WILBOR
CHAPPELL	HOBBIE	S. V. R. MILLER	SHEARD	WILLIS
CHASE	HOLBROOK	MOLLER	SHELDON	WINCH
CLAPP	HOYT	MOOERS		

Mr. Moller moved to amend said resolution by adding at end thereof the words "and as to those that the Constitution protects, they be requested to present a bill reducing the salaries of all judicial officers, as in the judgment of the committee would be fair and reasonable, to take effect upon the death, retiring, or removal from office of any such judicial officer in that city."

Mr. Daly accepted said amendment.

Mr. Grady moved to amend said resolution by adding, at the end thereof, the following:

"Resolved, That this House favors a reduction of the salaries in the city of New York, and will be glad to have the committee on affairs of cities report any bill which has been or may be referred to it securing that desired end."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Grady, and it was determined in the negative.

Mr. Daly moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Brooks called for a division of the question.

Mr. Speaker put the question whether the House would agree to that part of the resolution as offered by Mr. Moller and accepted by Mr. Daly, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the remainder of said resolution, and it was determined in the affirmative, as follows:

AYES 76.

NOES 27.

Those who voted in the affirmative, were

ABBOTT	DALY	KEATOR	PALMER	SKINNER
ALLEN	DEYOE	KELLOGG	PARKER	STORY
ALVORD	DOUGLASS	KERN	PATTENGILL	STRACK
ANDREWS	FISH	LANGNER	CICERO C. PECK	SUTHERLAND
ASTOR	FITZGERALD	LOVELAND	DEWITT C. PECK	E. TAYLOR
BEARD	FLYNN	LOWING	PEEK	TERRY
BERGEN	GILBERT	MAPES	POOL	TOWNSLEY
BERRY	I. I. HAYES	MATTISON	REYNOLDS	VALENTINE
BROWNING	J. HAYES	MEKEEL	ROBERTS	WADSWORTH
BRUNDAGE	HENRY	J. H. MILLER	ROWLAND	WARING
CASE	HOBBIE	S. V. R. MILLER	SAWYER	WILBOR
CHASE	HOLBROOK	MOLLER	SEARING	WILLERS
CLAPP	HOYT	MOOERS	SEWELL	WILLIAMS
J. M. CLARK	HULME	NELSON	SHEARD	WILLIS
CORMACK	JONES	NOYES	SHELDON	WINCH
CRANDALL				

Those who voted in the negative, were

BATHE	CRAWFORD	GALVIN	MCDONOUGH	SEEBACHER
BERRIGAN	CROWLEY	GRADY	MEAD	SHANLEY
BOUCK	CURRAN	HAMILTON	MEYENBORG	THAIN
BROOKS	DAY	HAVENS	NORTH	THOMSON
CHAPPELL	FLOYD-JONES	KEEGAN	PROPER	WEMPLE
J. CLARK	FOSTER			

Mr. Grady offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee on cities report to this House, within two days, the bill (Int. No. 297) introduced by Mr. Fish giving to the board of apportionment the power of reducing the exorbitant salaries in the city of New York.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Flynn offered, for the consideration of the House, a resolution in the words following:

Whereas, The present condition of railing contiguous to seat 56 is a cause of inconvenience to members,

Resolved, That the Sergeant-at-Arms be authorized and directed to have a gate erected in that portion of the Assembly chamber, between seat 56 and cloak-room partition, at a cost not to exceed fifteen dollars.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Gilbert moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act supplemental to the Code of Civil Procedure," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Fish offered, for the consideration of the House, a resolution in the words following:

Resolved, That all smoking, whether within or without the hours of public session, be and hereby is prohibited in the Assembly chamber.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish offered, for the consideration of the House, a resolution in the words following:

Resolved, That evening sessions of this House be held every Tuesday and Thursday evening at half-past seven, P. M., beginning on Tuesday, March fourth.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Valentine moved to take from the table concurrent resolutions, previously offered by him, in the words following:

"Concurrent resolutions proposing amendments to section 2, section 5 and section 6 of article 3 of the Constitution."

Resolved (if the Senate concur), That section 2 of article 3 of the Constitution be amended so as to read as follows:

"§ 2. The Senate shall consist of thirty-two members, and the Senators shall be chosen for two years. The Assembly shall consist of one hundred and twenty-eight members, who shall *also be chosen for two years.*"

Resolved (if the Senate concur), That section 5 of article 3 of the Constitution, be amended so as to read as follows:

"§ 5. The Assembly shall consist of one hundred and twenty-eight members elected for *two years*. The members of Assembly shall be apportioned among the several counties of the State by the Legislature, as nearly as may be according to the number of their respective inhabitants, excluding aliens, and shall be chosen by single districts. The Assembly districts shall remain as at present organized, until a *new apportionment shall be made as in this section provided*. The Legislature, at its first session, after the return of every enumeration, shall apportion the members of Assembly among the several counties of the State in the manner aforesaid; and the board of supervisors in such counties as may be entitled under such apportionment to more than one member, except the city and county of New York, and in said city and county the board of aldermen of said city, shall assemble at such time as the Legislature making such apportionment shall prescribe, and divide their respective counties into Assembly districts, each of which districts shall consist of convenient and contiguous territory, equal to the number of members of Assembly to which such counties shall be entitled, and shall cause to be filed in the office of the Secretary of State and the clerks of their respective counties a description of such districts, specifying the number of each district and the population thereof, according to the last preceding enumeration, as near as can be ascertained; and the apportionment and districts shall remain unaltered until another enumeration shall be made as herein provided. No town shall be divided in the formation of Assembly districts. Every county heretofore established and separately organized, except the county of Hamilton, shall always be entitled to one member of the Assembly, and no new county shall be hereafter erected unless its population shall entitle it to a member. The county of Hamilton shall elect with the county of Fulton until the population of the county of Hamilton shall, according to the ratio, be entitled to a member. But the Legislature may abolish the said county of Hamilton and annex the territory to some other county or counties. Nothing in this section shall prevent division, at any time, of counties and towns, and the erection of new towns and counties by the Legislature."

Resolved (if the Senate concur), That section 6 of article 3 of the Constitution, be amended so as to read as follows:

"§ 6. Each member of the Legislature shall receive for his services an annual salary of *one thousand dollars*. The members of either House shall also receive the sum of one dollar for every ten miles they shall travel in going to and returning from their place of meeting once in each session on the most usual route. Senators, when the Senate alone is convened in extraordinary session, or when serving as members of the court for the trial of impeachments, and such members of the Assembly, not exceeding nine in number, as shall be appointed managers of an impeachment, shall receive an additional allowance of ten dollars a day."

Resolved (if the Senate concur), That the foregoing amendments be referred to the Legislature to be chosen at the next general election of Senators, and that pursuant to section 1 of article 13 of the Constitution, they be published for three months previous to the time of such election."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Valentine moved that said resolutions be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Waring offered, for the consideration of the House, a resolution in the words following:

Resolved, That the bill entitled "An act to repeal chapter 556 of the Laws of 1871, entitled 'An act relating to Queens County Railway Company,' passed April 19, 1871, and to repeal the first section of chapter 633 of the Laws of 1872, entitled 'An act relating to Queens County Railway Company,' passed May 10, 1872" (No. 137), be committed to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Nelson offered, for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That section 14 of article 6 of the Constitution be amended so as read as follows:

"§ 14. The judges and justices hereinbefore mentioned shall receive for their services a compensation to be established by law, *in the form of a salary payable monthly or quarterly, as the Legislature may direct; and, in addition thereto, they shall receive no fees, percentages, nor allowances*, except the judges of the Court of Appeals and the justices of the Supreme Court; they shall be paid, and the expenses of the courts defrayed, by the cities or counties in which such courts are instituted, as shall be provided by law.

Ordered, That said resolution be laid upon the table.

Indefinite leave of absence was granted to Mr. Purdy.

Mr. D. W. C. Peck presented the Annual Report of the Superintendent of Public Instruction relative to Normal schools; which was laid upon the table and ordered printed.

(See Doc. No. 76.)

By unanimous consent,

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hurd, Int. No. 237, entitled "An act to authorize the commissioners for the erection of a city and county hall in the city of Buffalo and county of Erie, to assign a portion of said building for the use of the coroners of said county," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Foster, Int. No. 239, entitled "An act relating to the term of office of the supervisors of Albany county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Gilbert introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' passed April 17, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. I. I. Hayes introduced a bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to incorporate dental societies for the purpose of improving and regulating the practice of

dentistry in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Also, a bill entitled "An act to incorporate the New York and Western Pipe Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker moved to take from the table the bill entitled "An act to amend chapter 324 of the Laws of 1869, entitled 'An act for the election of a receiver of taxes and assessments for the town of Cortlandt and village of Peekskill.'"

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CHASE	GILBERT	S. V. R. MILLER	STRACK
ALLEN	CLAPP	GRADY	MOOERS	SUTHERLAND
ALVORD	CONVERSE	GRAHAM	PALMER	E. TAYLOR
ANDREWS	CORMACK	I. I. HAYES	CICERO C. PECK	TERRY
ASTOR	COSAD	HOYT	DEWITT C. PECK	THAIN
BAKER	CROWLEY	HULME	PEEK	THOMSON
BATHE	CURRAN	JONES	REYNOLDS	TOWNSLEY
BEARD	DALY	KEATOR	ROBERTS	VALENTINE
BERGEN	DAY	KELLOGG	ROWLAND	WADSWORTH
BERRIGAN	DOUGLASS	KERN	SEARING	WEMPLE
BERRY	FISH	LANGNER	SEWELL	WILBOR
BOUCK	FITZGERALD	LOWING	SHELDON	WILLERS
BROOKS	FLOYD-JONES	MATTISON	SKINNER	WILLIAMS
BROWNING	FLYNN	MCDONOUGH	SPEAKER	WILLIS
CASE	FOSTER	MEKEEL	STORY	WINCH
CHAPPELL	GALVIN	J. H. MILLER		

On motion of Mr. Speaker, and by unanimous consent, said bill was amended as follows:

In lines 3 and 4, section 1, paragraph 4, engrossed bill, strike out the words "the then supervisor of the town of Cortlandt," and insert in lieu thereof the words "a joint board composed of the supervisor and town clerk of the town of Cortlandt and the president of the village of Peekskill."

In section 3, engrossed bill, strike out the words "the first day of January, eighteen hundred and seventy-nine," and insert in lieu thereof the words "at the expiration of the term of office of the present incumbent."

Add, after the word "Peekskill," in the title, the words "and the acts amendatory thereof."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	I. I. HAYES	MEYENBORG	SLITER
ALLEN	COSAD	J. HAYES	NELSON	SPEAKER
ALVORD	CRAWFORD	HENRY	NORTH	STORY
ANDREWS	CROWLEY	HOBBIE	PALMER	STRACK
ASTOR	CURRAN	HOYT	PARKER	SUTHERLAND
BATHE	DALY	HULME	PATTENGILL	E. TAYLOR
BEARD	DEYOE	JONES	CICERO C. PECK	TERRY
BERGFN	FISH	KELLOGG	DEWITT C. PECK	THAIN
BERRY	FITZGERALD	LANGNER	PEEK	THOMSON
BOUCK	FLOYD-JONES	LOVELAND	POOL	TOWNSLEY
BROOKS	FLYNN	LOWING	REYNOLDS	WADSWORTH
BROWNING	GALVIN	MATTISON	ROBERTS	WEMPLE
BRUNDAGE	GILBERT	MCDONOUGH	ROWLAND	WILBOR
CASE	GRADY	MEKEEL	SEARING	WILLERS
CHAPPELL	GRAHAM	J. H. MILLER	SHEARD	WILLIAMS
CHASE	HAMILTON	S. V. R. MILLER	SHELDON	WILLIS
CONVERSE	HAVENS	MOOERS	SKINNER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented a communication from the mayor and controller of the city of New York, in response to a resolution of the Assembly, accompanied by two bills, in reference to street cleaning in the city of New York.

Mr. I. I. Hayes moved that said communication be referred to the committee on affairs of cities and printed; and that said bills be, also, referred to the same committee.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

(See Doc. No. 67.)

The bill entitled "An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 60.

NOES 24.

Those who voted in the affirmative, were

ALLEN	CONVERSE	HAVENS	MAPES	POOL
ALVORD	COSAD	I. I. HAYES	MATTISON	PROPER
ANDREWS	CRAWFORD	HENRY	MEKEEL	REYNOLDS
ASTOR	CROWLEY	HOLBROOK	J. H. MILLER	ROWLAND
BATHE	CURRAN	HOYT	S. V. R. MILLER	SEEBACHER
BEARD	DALY	HULME	MOOERS	SEWELL
BERGEN	DAY	JONES	MEYENBORG	SKINNER
BERRIGAN	FITZGERALD	KEEGAN	NOYES	E. TAYLOR
BOUCK	FLOYD-JONES	KELLOGG	PALMER	THAIN
BURNS	GALVIN	LANGNER	PARKER	THOMSON
CHASE	GILBERT	LOVELAND	PATTENGILL	VALENTINE
J. M. CLARK	GRADY	LOWING	CICERO C. PECK	WILLIS

Those who voted in the negative, were

BERRY	FISH	NELSON	SHEARD	TOWNSLEY
CASE	GRAHAM	NORTH	SHELDON	WILBOR
CHAPPELL	HAMILTON	DEWITT C. PECK	STRACK	WILLIAMS
CORMACK	KEATOR	ROBERTS	SUTHERLAND	WINCH
CRANDALL	KERN	SAWYER	TERRY	

Mr. Sheard moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 159 of the Laws of 1855, entitled 'An act to allow the trustees, directors or managers of incorporated asylums to bind out orphans or indigent children surrendered to their care,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 64.

NOES 27.

Those who voted in the affirmative, were

ALLEN	CONVERSE	HAVENS	MOOERS	SLITER
ALVORD	CORMACK	HOBBIE	NELSON	E. TAYLOR
ANDREWS	COSAD	HOLBROOK	NORTH	J. T. TAYLOR
ASTOR	CRAWFORD	HULME	NOYES	THAIN
BERGEN	CURRAN	JONES	PALMER	TOWNSLEY
BERRIGAN	DALY	KEATOR	PARKER	VALENTINE
BOUCK	DAY	KEEGAN	PATTENGILL	WADSWORTH
BROOKS	DOUGLASS	KELLOGG	CICERO C. PECK	WARING
BROWNING	FITZGERALD	LOVELAND	DEWITT C. PECK	WEMPLE
BRUNDAGE	FLOYD-JONES	MAPES	SEEBACHER	WILBOR
BURNS	GRADY	MEAD	SEWELL	WILLIS
CHASE	GRAHAM	MEKEEL	SHELDON	WINCH
J. M. CLARK	HAMILTON	J. H. MILLER	SKINNER	

Those who voted in the negative, were

ABBOTT	CLAPP	HENRY	POOL	STRACK
BATHE	CROWLEY	MATTISON	PROPER	SUTHERLAND
BEARD	DEYOE	MCDONOUGH	REYNOLDS	TERRY
BERRY	FISH	MEYENBORG	SAWYER	THOMSON
CASE	GALVIN	PEEK	SHEARD	WILLIAMS
CHAPPELL	GILBERT			

Mr. Brooks moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, as follows :

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HENRY	S. V. R. MILLER	SHELDON
ALLEN	COSAD	HOBBIE	MOOERS	SKINNER
ALVORD	CRANDALL	HOLBROOK	NELSON	SLITER
ANDREWS	CROWLEY	HOYT	NORTH	STRACK
ASTOR	CURRAN	HULME	NOYES	SUTHERLAND
BATHE	DEYOE	HURD	PALMER	E. TAYLOR
BERGEN	DOUGLASS	JONES	PATTENGILL	J. T. TAYLOR
BERRIGAN	FISH	KEATOR	CICERO C. PECK	TERRY
BOUCK	FITZGERALD	KEEGAN	DEWITT C. PECK	THAIN
BROOKS	FLOYD-JONES	KELLOGG	PEEK	THOMSON
BROWNING	FLYNN	KERN	PROPER	TOWNSLEY
BRUNDAGE	GALVIN	LOVELAND	REYNOLDS	VALENTINE
BURNS	GILBERT	LOWING	ROBERTS	WARING
CASE	GRADY	MAPES	ROWLAND	WEMPLE
CHASE	GRAHAM	MATTISON	SAWYER	WILBOR
CLAPP	HAMILTON	MEAD	SEEBACHER	WILLIAMS
J. M. CLARK	HAVENS	MEKEEL	SEWELL	
CONVERSE	I. I. HAYES	J. H. MILLER	SHEARD	

Mr. Fish moved that said bill be recommitted to the committee on charitable and religious societies, with instructions to amend the same by inserting, in section 3, line 13, after the word "incorporated," the word "non-sectarian," and report forthwith, said bill retaining its place on the order of third reading of bills.

Mr. Thain moved that said bill be recommitted to the committee on charitable and religious societies, with instructions to amend the same by inserting, in line 12, section 3, engrossed bill, after the word "York," the words "or New York Catholic Protectory," and report said bill back to the House forthwith.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Thain, and it was determined in the negative, as follows:

AYES 37.

NOES 51.

Those who voted in the affirmative, were

ALLEN	DAY	HENRY	MEAD	SEEBACHER
BATHE	DOUGLASS	HOBBIE	MEKEEL	SLITER
BERRIGAN	FITZGERALD	HOLBROOK	MEYENBORG	STRACK
BROOKS	FLOYD-JONES	KEEGAN	NELSON	THAIN
BROWNING	FLYNN	KELLOGG	PROPER	THOMSON
CROWLEY	GALVIN	LOVELAND	ROBERTS	TOWNSLEY
CURRAN	GRADY	MCDONOUGH	ROWLAND	WEMPLE
DALY	HAMILTON			

Those who voted in the negative, were

ABBOTT	CORMACK	KEATOR	PALMER	SKINNER
ALVORD	CRANDALL	KERN	PATTENGILL	SUTHERLAND
ASTOR	DEYOE	LOWING	D. C. PECK	J. T. TAYLOR
BEARD	FISH	MAPES	PEEK	TERRY
BERGEN	GILBERT	MATTISON	POOL	VALENTINE
BERRY	GRAHAM	J. H. MILLER	REYNOLDS	WADSWORTH
BRUNDAGE	HAVENS	S. V. R. MILLER	SAWYER	WARING
CASE	HOYT	MOOERS	SEWELL	WILBOR
CHASE	HULME	NORTH	SHEARD	WILLIAMS
CLAPP	JONES	NOYES	SHELDON	WILLIS
J. M. CLARK				

On motion of Mr. Grady, and by unanimous consent, said bill was amended by striking out, in section 3, line 17, engrossed bill, the words "the Children's Aid Society, or the Home of the Friendless of the city of New York, or to."

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 73.

NOES 6.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HENRY	NORTH	SKINNER
ALLEN	CORMACK	HOBBIE	PALMER	SLITER
ALVORD	COSAD	HOLBROOK	PATTENGILL	SUTHERLAND
ANDREWS	CRANDALL	HOYT	CICERO C. PECK	E. TAYLOR
ASTOR	CRAWFORD	HULME	DEWITT C. PECK	J. T. TAYLOR
BATHE	CROWLEY	KEEGAN	PEEK	TERRY
BERRIGAN	DALY	KELLOGG	POOL	THOMSON
BERRY	DAY	LOVELAND	REYNOLDS	TOWNSLEY
BOUCK	DEYOE	LOWING	ROBERTS	VALENTINE

BROOKS	FISH	MAPES	ROWLAND	WARING
BROWNING	FLOYD-JONES	MATTISON	SAWYER	WEMPLE
BRUNDAGE	FLYNN	MEAD	SEWELL	WILBOR
BURNS	GRAHAM	MEKEEL	SHEARD	WILLIAMS
CASE	HAMILTON	NEILSON	SHELDON	WILLIS
CHASE	HAVENS	NELSON		

Those who voted in the negative, were

CURRAN	JONES	MCDONOUGH	SEEBACHER	THAIN
GRADY				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 857 of the Laws of 1872, entitled 'An act to amend an act entitled An act to incorporate the Poughkeepsie Bridge Company, for the purpose of constructing and maintaining a bridge, appurtenances, and approaches to the same over the Hudson river at a point or points between the city of Poughkeepsie and the town of Lloyd, Ulster county, on said river,' passed May 10, 1871," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOLBROOK	NORTH	SHELDON
ALLEN	CROWLEY	HOYT	PALMER	SKINNER
ALVORD	DALY	HULME	PATTENGILL	STRACK
ANDREWS	DAY	JONES	CICERO C. PECK	SUTHERLAND
BATHE	DEYOE	KEATOR	DEWITT C. PECK	E. TAYLOR
BEARD	FISH	KEEGAN	PEEK	THAIN
BERRIGAN	FITZGERALD	KELLOGG	POOL	THOMSON
BERRY	FLOYD-JONES	LOVELAND	PROPER	TOWNSLEY
BOUCK	GALVIN	LOWING	REYNOLDS	VALENTINE
BROOKS	GILBERT	MAPES	ROBERTS	WARING
BROWNING	GRAHAM	MATTISON	ROWLAND	WEMPLE
BRUNDAGE	HAMILTON	MCDONOUGH	SAWYER	WHEELER
CASE	HAVENS	MEKEEL	SEARING	WILBOR
CHASE	I. I. HAYES	S. V. R. MILLER	SEEBACHER	WILLERS
CLAPP	HENRY	MOOERS	SEWELL	WILLIAMS
J. M. CLARK	HOBBIE	NELSON	SHEARD	WILLIS
CORMACK				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

On motion of Mr. Cormack, and at 2 o'clock and 25 minutes, the House took a recess until 7 o'clock and 30 minutes, P. M.

HALF - PAST SEVEN O'CLOCK, P. M.

The House again met.

Mr. Speaker announced the special order, being the "Concurrent resolutions proposing amendments to article 7 of the Constitution."

The House then resolved itself into a committee of the whole on the concurrent resolutions entitled as follows :

"Concurrent resolutions proposing amendments to article 7 of the Constitution."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bergen, from said committee, reported progress on said named resolutions, and asked and obtained leave to sit again.

Mr. Hayes moved that the further consideration of the concurrent resolution relative to the canals be made a special order for Thursday evening next, at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Hepburn, and at 10 o'clock and 17 minutes, the House adjourned.

THURSDAY, FEBRUARY 28, 1878.

The House met pursuant to adjournment.

Prayer by Rev. David L. Schwartz.

The journal of yesterday was read and approved.

The Senate returned the following entitled bill, with a message that they had concurred in the passage of the same:

"An act to legalize the proceedings of the Livingston Town Insurance Company in the county of Columbia."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate sent for concurrence the bill entitled as follows:

"An act to amend section 30, article 7, title 1, chapter 5, part 2 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Keator introduced a bill entitled "An act in relation to the fees of the collector of taxes of the town of New Paltz, in Ulster county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Keator, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 102.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOLBROOK	MOOERS	SHELDON
ALLEN	CRAWFORD	HOYT	MEYENBORG	SKINNER
ALVORD	CROWLEY	HULME	NIVEN	SLITER
ANDREWS	CURRAN	HURD	NORTH	STORY
ASTOR	DALY	JONES	NOYES	STRACK
BAKER	DAY	KEATOR	PATTERSON	SUTHERLAND
BATHE	DEYOE	KEEGAN	CICERO C. PECK	E. TAYLOR
BEARD	FISH	KELLOGG	DEWITT C. PECK	J. T. TAYLOR
BERRIGAN	FLOYD-JONES	KING	PEEK	TERRY
BERRY	FLYNN	LANGNER	POOL	THAIN
BOUCK	FOSTER	LOVELAND	PRESCOTT	THOMSON
BROOKS	GALVIN	LOWING	PROPER	VALENTINE

BRUNDAGE	GILBERT	MAPE	REYNOLDS	WADSWORTH
CASE	GRADY	MATTISON	ROBERTS	WARING
CHAPPELL	GRAHAM	MCDONOUGH	SAWYER	WHEELER
CHASE	GRIGGS	MEAD	SEARING	WILBOR
CLANCY	HALLIDAY	MEKEEL	SEEBACHER	WILLERS
J. M. CLARK	HAMILTON	J. H. MILLER	SEWELL	WILLIS
CONVERSE	HAVENS	S. V. R. MILLER	SHANLEY	WINCH
CORMACK	HOBBIE	MOLLER	SHEARD	WORTH
COSAD	HOLAHAN			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Halliday, the privileges of the floor were granted to the Hon. Edward S. Edson, a former member of this House.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Goodwin, Int. No. 22, entitled "An act to amend chapter 194 of the Laws of 1873, entitled 'An act to continue in force and amend chapter 138 of the Laws of 1852, entitled An act to incorporate the firemen of the city of Utica as a benevolent association,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Langner, Int. No. 412, entitled "An act to amend an act entitled 'An act to incorporate the Hall Association of the Order der Freiheit of the city of Buffalo,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Andrews, Int. No. 224, entitled "An act to incorporate the Tornado Hook and Ladder Company No. 1 of the village of Union, Broome county, N. Y.," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Terry, Int. No. 309, entitled "An act to amend chapter 6, part 1, title 3, article 3, section 21 of the Revised Statutes," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Jones, Int. No. 56, entitled "An act to amend chapter 438 of the Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Davenport, Int. No. 58, entitled "An act to amend chapter 328 of the Laws of 1868, entitled 'An act to amend and continue in force an act entitled An act to incorporate an association for the relief of respectable, aged, indigent females in the city of New

York,' passed March 10, 1815, and the acts continuing in force and amending the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Havens, Int. No. 353, entitled "An act in relation to the disposition and application of moneys raised and collected in the towns of this State, for highway and bridge purposes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Williams, from the committee on roads and bridges, to which was referred the Senate bill introduced by Mr. St. John, Int. No. 45, entitled "An act to provide for shading public highways," reported adversely thereto.

On motion of Mr. Graham, said report was laid on the table.

By unanimous consent,

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Williams, Int. No. 142, entitled "An act to authorize the formation of town insurance companies," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Proper, Int. No. 265, entitled "An act to amend an act entitled 'An act in relation to town insurance companies,' passed April 27, 1866," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Husted, Int. No. 318, entitled "An act to authorize the comptroller to compromise and settle old judgments and contract debts," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Neilson, Int. No. 446, entitled "An act to amend an act entitled 'An act authorizing the trustees of the village of Ballston Spa to issue bonds, to be known as "extended water bonds," to pay a portion of the water bonds, now outstanding, of said village, maturing in the year 1870 and thereafter,' being chapter 100 of Laws of 1877," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Galvin, Int. No. 244, entitled "An act for the relief of Sophia Dale, widow of James Alexander Gavin, late of the city of Brooklyn, county of Kings, and State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, to which was referred

the bill introduced by Mr. Douglass, Int. No. 76, entitled "An act to repeal chapter 625 of the Laws of 1875, entitled 'An act in relation to courts of record in the city and county of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Gilbert introduced a bill entitled "An act to provide for the better registering of attorneys and counselors, and of proceedings affecting their authority," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Alvord, the privileges of the floor were granted to the Hon. Mr. Crack, a former member of this House.

On motion of Mr. Crowley, the privileges of the floor were granted to the Hon. A. Cruice.

By unanimous consent,

Mr. Sheard introduced a bill entitled "An act to create a board of alms, and to secure the better application of funds to relieve the poor in the town of German Flats, in the county of Herkimer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent,

Mr. Wilbor introduced a bill entitled "An act to incorporate the Columbia County Bar Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Langner introduced a bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Clapp introduced a bill entitled "An act to provide for the examination of banks and banking associations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent,

Mr. Peek introduced a bill entitled "An act to amend chapter 36 of the Laws of 1862, entitled 'An act to enable the electors of the town of Johnstown to vote by districts for town officers,' passed March 21, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Thain introduced a bill entitled "An act to exempt the library of the Medico Legal Society of the city of New York from taxation and from seizure and sale under legal process," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Mr. Prescott introduced a bill entitled "An act to secure the owners or keepers of breeding stallions and jackasses for the services of the

same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Also, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent,

Mr. Graham introduced a bill entitled "An act to amend an act entitled 'An act to provide for security against extraordinary conflagrations, and for the creation of safety funds by fire insurance companies,' passed April 16, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent,

Mr. Valentine introduced a bill entitled "An act to authorize the construction and maintenance of a telephone line in the town of Rose, in Wayne county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Moller introduced a bill entitled "An act in relation to commutation and other fares for transporting passengers by railroad companies chartered by or incorporated in any other State, and owning any railroad track in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Speaker presented a communication from the Canal Appraisers, in compliance with a resolution adopted by the Assembly; which was laid upon the table and ordered printed.

(See Doc. No. 71.)

Mr. Speaker presented the Annual Report of Receipts and Expenditures of the Brooklyn Institute for the year 1877; which was laid upon the table and ordered printed.

(See Doc. No. 72.)

The Senate returned the bill entitled "An act to amend chapter 324 of the Laws of 1869, entitled 'An act for the election of a receiver of taxes and assessments for the town of Cortlandt and village of Peekskill,'" with a message that they had reconsidered the vote on the final passage of the bill, and passed the same as amended.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker announced, pursuant to a resolution of this House, the special order of the day, being the bill entitled "An act to regulate the sale of intoxicating liquors, wines, ale and beer, in the city of New York."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to regulate the sale of intoxicating liquors, wine, ale and beer, in the city of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. E. Taylor, from said committee, reported progress on the said named bill, and asked and obtained leave to sit again.

Mr. Daly moved that said bill be made a special order for Tuesday next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Alvord, and by unanimous consent, the special order set down for Thursday evening next relative to canals was postponed until the following Tuesday evening, March twelfth, at half-past seven o'clock, P. M.

On motion of Mr. Alvord, and at 2 o'clock and 13 minutes, the House adjourned.

FRIDAY, MARCH 1, 1878.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to amend chapter 344 of the Laws of 1877, entitled 'An act to authorize railroad corporations to pay commutation money for highway labor, to the commissioners of highways of towns.'"

"An act to establish the exterior bulk-head and pier lines of the harbor of New York on the Staten Island side."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Speaker presented the Annual Report of the State Engineer and Surveyor on Railroads for the year ending September 30, 1877; which was laid on the table and ordered printed.

(*See Doc No. .*)

The Senate sent for concurrence the bills entitled as follows :

"An act supplemental to the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Gilbert, and by unanimous consent, said bill was substituted for Assembly bill on the same subject.

"An act to amend chapter 430 of the Laws of 1874, entitled 'An act to facilitate the reorganization of railroads sold under mortgage, and providing for the formation of new companies in such cases,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act authorizing and empowering the common council of the city of Rochester to construct, lift, hoist or swing bridges over the Erie canal at Brown street and at Smith street in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to confer on the board of supervisors of Chautauqua county authority to protect ducks and fish in all waters within the territorial jurisdiction of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

"An act to amend chapter 308 of the Laws of 1854, entitled 'An act relative to the New York Baptist Union for Ministerial Education,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend chapter 225 of the Laws of 1851, entitled 'An act to incorporate the Ladies' Union Aid Society of the Methodist Episcopal

church in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to furnish approved arms to the Albany Burgesses Corps," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

"An act to provide for the review and correction of illegal, erroneous and unequal assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Fish, the privileges of the floor were granted to the Hon. W. S. Clapp.

On motion of Mr. Chappell, the privileges of the floor were granted to Hon. Franklin Hinchey.

On motion of Mr. Sewell, the privileges of the floor were granted to the Hon. Warren Willis.

Mr. Mooers introduced a bill entitled "An act to secure the better application of funds to relieve the poor in the town of Plattsburgh, in the county of Clinton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Sewell introduced a bill entitled "An act to regulate the assessment and taxation of property in the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

On motion of Mr. Sewell, and by unanimous consent, said bill was ordered printed.

Mr. Langner introduced a bill entitled "An act authorizing the common council of the city of Buffalo to raise and appropriate money for the poor fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. C. C. Peck introduced a bill entitled "An act to amend section 870 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hobbie introduced a bill entitled "An act in relation to coroners' fees and post-mortem examinations in Monroe county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Galvin introduced a bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Berrigan introduced a bill entitled "An act to repeal an act entitled 'An act to authorize the board of health of the health department of the city of New York to make a contract to remove the contents of sinks and privies in said city,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. I. I. Hayes introduced a bill entitled "An act to provide for the more effectual clearing of the streets of the city of New York, and for the deposit and collection of ashes and garbage," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Fish, and by unanimous consent, said bill was ordered printed.

Also, a bill entitled "An act to authorize steamboat corporations carrying United States mails and passengers between this and other States to acquire title to docks and real estate for terminal facilities and permanent landings, and to improve the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Seebacher introduced a bill entitled "An act relative to underground railroads in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Berrigan introduced a bill entitled "An act to provide for the appointment of a marshal and deputy marshals in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fish introduced a bill entitled "An act for the reduction of the salaries and compensation of certain officers and clerks in the cities of this State, having a population of 100,000 or more," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Searing introduced a bill entitled "An act to authorize the town of Saugerties, in the county of Ulster, to raise money to purchase certain real estate in said town for town purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. J. H. Miller introduced a bill entitled "An act to amend section 31 of article 3 of title 2 of chapter 13 of part 1 of the Revised Statutes, in relation to the equalization of assessments by boards of supervisors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a bill entitled "An act to amend sections 7, 8 and 9, article 2 of title 2 of chapter 13 of part 1 of the Revised Statutes, in relation to the manner in which assessments are to be made," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. J. M. Clark introduced a bill entitled "An act to provide that the superintendent of the poor of the county of Yates, may be the keeper of the poor-house of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Wheeler introduced a bill entitled "An act to amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Halliday, Int. No. 100, entitled "An act to establish a New York State experimental station," reported in

favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord moved that said bill be recommitted to the committee on ways and means, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord, Int. No. 143, entitled "An act to further amend chapter 335 of Laws of 1875, entitled 'An act to amend an act entitled An act for the relief of the surviving members of the First regiment of New York volunteers, who served in the war with Mexico,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Niven, Int. No. 133, entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Fish, Int. No. 376, entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bergen, Int. No. 286, entitled "An act authorizing the town of New Lots, in the county of Kings, to issue bonds to the amount of \$10,000 to refund or pay a like amount of bonds issued by said town for the erection of a town house, in pursuance of chapter 281 of the Laws of 1872," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Gilbert, Int. No. 456, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' passed June 5, 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill, Int. No. 171, entitled "An act in relation to the bonded indebtedness of the city of New York, and to provide for the payment of the same," reported in favor of the passage of the same, with amendments, and amending the title so as to read as follows: "An act relating to certain indebtedness of the city of New York, and to provide for the payment and cancellation of the same," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the communication of the mayor and others of the city of New York, presented by Mr. Speaker, relating to street cleaning in the city of New York, reported a bill entitled "An act to provide for the cleaning of streets and removal of garbage and ashes in the city of New York," for the consideration of the House, which was read the first time, and by

unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Fish moved that the said bill be recommitted to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was referred the communication from the mayor and others of the city of New York, presented by Mr. Speaker, relative to street cleaning in the city of New York, reported a bill entitled "An act to provide for the cleaning of streets and removal of garbage and ashes in the city of New York," for the consideration of the House, which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Fish moved that said bill be recommitted to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Converse, Int. No. 257, entitled "An act requiring the highway tax of the New York Central and Hudson River Railroad Company through the town of Mentz to be applied to the repair of certain highways and bridges in said town," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clapp, from the committee on banks, to which was referred the bill introduced by Mr. Clapp, Int. No. 407, entitled "An act to amend chapter 226 of the Laws of 1849, entitled 'An act to enforce the responsibility of stockholders in certain banking corporations and associations as prescribed by the Constitution, and to provide for the prompt payment of the demands against such corporations and associations,' passed April 5, 1849," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sheard, Int. No. 487, entitled "An act to create a board of alms and to secure the better application of funds to relieve the poor, in the town of German Flats, in the county of Herkimer," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Story, Int. No. 94, entitled "An act to regulate the sale of distilled and fermented liquors and wines in certain cities in New York," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Valentine moved that said bill be recommitted to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Langner, Int. No. 42, entitled "An act to amend chapter 549 of the Laws of 1873, entitled 'An act to amend an act entitled An act regulating the sale of intoxicating liquors,' passed April 11, 1873, 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," reported the same for

the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Valentine moved that said bill be recommitted to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Cormack, Int. No. 83, entitled "An act to suppress intemperance, pauperism and crime, and to regulate the sale of intoxicating, distilled and fermented liquors in the State of New York," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine moved to recommit said bill to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Foster, Int. No. 457, entitled "An act to amend chapter 509 of the Laws of 1873, and other acts regulating the sale of ales, wines, beers and intoxicating liquors," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine moved to recommit said bill to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Sheard, Int. No. 415, entitled "An act to amend the charter of the village of Little Falls," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 702 of the Laws of 1870, entitled 'An act to amend the charter of Little Falls,' passed May 6, 1870," which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Peek, Int. No. 340, entitled "An act to amend chapter 505 of the Laws of 1873, entitled 'An act to reorganize the village of Gloversville,' passed May 14, 1873," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the Senate bill introduced by Mr. Marvin, Int. No. 23, entitled "An act to amend sections 81 and 82 of article 4, title 1 of part 1 of chapter 16 of the Revised Statutes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the Senate bill introduced by Mr. Marvin, Int. No. 24, entitled "An act to amend chapter 69 of the Laws of 1873, entitled 'An act requiring commissioners of highways to give notice of the discontinuance of public highways,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. C. Peck, from the committee on public education, to which was

referred the bill introduced by Mr. Terry, Int. No. 35, entitled "An act in regard to the Union Free School district No. 1, in the village of Fort Edward, and to authorize the board of education thereof to contract with the Fort Edward Collegiate Institute for the use of certain rooms in said institute for school purposes, and for the instruction of pupils therein," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Graham, Int. No. 420, entitled "An act to authorize the board of education of Union Free School district No. 2 of the town of Highlands, in the county of Orange, to raise money for the purchase of a school-house and site," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. North, Int. No. 403, entitled "An act limiting the power of the board of education of the city of Oswego in the purchase of school sites and the erection of school-houses," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Allen, Int. No. 335, entitled "An act to reduce the number composing the board of education of Gowanda Union Free School District No. 1, composed of parts of the towns of Persia and Perrysburgh, in Cattaraugus county, and of a part of the town of Collins, in Erie county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Hurd, Int. No. 373, entitled "An act to change the name of the Union Free School district No. 1 of the town of Clarence, in the county of Erie," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Curran, Int. No. 37, entitled "An act to organize a board of school commissioners in and for the village of West Troy," reported adversely thereto.

On motion of Mr. Curran, said report was laid upon the table.

Mr. Case, from the committee on game laws, to which was referred the bill introduced by Mr. Brundage, Int. No. 425, entitled "An act to amend section 1 of chapter 381 of the Laws of 1873, entitled 'An act for the preservation of fish in waters lying within or bordering upon the counties of Schuyler, Steuben, Seneca, Chemung, Yates, and Ontario,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Case, from the committee on game laws, to which was referred the bill introduced by Mr. Proper, Int. No. 359, entitled "An act to amend section 3 of chapter 721 of the Laws of 1871," reported adversely thereto, which report was agreed to.

Mr. Sheard, from the committee on trade and manufactures, to which was referred the Senate bill introduced by Mr. Ecclesine, Int. No. 38, entitled "An act to amend chapter 40 of the Laws of 1848, entitled 'An

act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'” reported adversely thereto, which report was agreed to.

Mr. Alvord, from the committee on apportionment, reported a bill entitled “An act to organize the Senate districts, and for the apportionment of the members of Assembly of this State,” which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Brooks moved that said bill be made a special order for Tuesday morning, March 12, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

“An act in relation to the officers and medical staff of Willard Asylum for the Insane.”

“An act further to amend section 2 of title 2 of chapter 13 of part 1 of the Revised Statutes, entitled ‘Of the assessment and collection of taxes,’ and to amend chapter 427 of the Laws of 1855, entitled An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes.”

“An act to amend chapter 150 of the Laws of 1837, entitled ‘An act authorizing the loan of certain moneys belonging to the United States, deposited with the State of New York for safe keeping.’”

“An act to amend chapter 386 of the Laws of 1851, entitled ‘An act to amend, consolidate and reduce to one act, the various acts relative to common schools of the city of New York,’ passed July 3, 1851, and the several acts amendatory thereof.”

“An act to authorize the city of Elmira to issue bonds for the payment of certain other bonds of said city, falling due on or before November 1, 1878.”

Mr. I. I. Hayes, from the committee on canals, to which was referred the petition of Lyman A. Spaulding, presented by Mr. Loveland, in relation to the surplus water of the canal at Lockport, reported adversely thereto, which report was agreed to.

Mr. Baker presented a petition of 500 citizens of New York against the repeal of the act establishing the College of the city of New York; which was read and referred to the committee on affairs of cities.

Mr. Brooks presented a petition for the establishment of reformatory workhouses; which was read and referred to the committee on state prisons.

Mr. Neilson presented a petition of citizens of Saratoga county for the erection of a swing bridge over the Champlain canal, in the village of Waterford; which was read and referred to the committee on canals.

Mr. Shanley presented a petition of citizens of Brooklyn in favor of the passage of the one cent ferry act; which was read and referred to the committee on commerce and navigation.

Mr. Berry presented a resolution of the board of supervisors of the county of Chenango for reduction of salaries of members of the Legislature to \$1,000; which was read and referred to the committee on ways and means.

Mr. Keegan presented a petition of citizens of Long Island City in favor of the reduction of fares on the Thirty-fourth street ferry; which was read and referred to the committee on commerce and navigation.

Mr. Berry presented a resolution of the board of supervisors of Chenango county urging the passage of the bill for the relief of bonded towns; which was read and referred to the committee on ways and means.

Messrs. Skinner, Willers, Valentine and Terry presented petitions in reference to assessment and taxation; which were read and referred to the committee on ways and means.

Mr. Alvord presented a remonstrance of citizens of Onondaga county against amendments to the savings bank law; which was read and referred to the committee on banks.

Mr. Noyes presented a petition of trustees of Cayuga County Savings Bank relating to the interests of such bank; which was read and referred to the committee on banks.

Mr. King presented a petition of members of the Ancient Order of United Workmen of Allegany, New York, for amendment of their charter; which was read and referred to the committee on general laws.

Mr. Sheard presented a petition on the same subject; which was read and referred to the same committee.

Messrs. Brundage, Floyd-Jones, Hoyt, Browning, Astor, Prescott, Holbrook, Chappell, Langner, Henry, Clancy, Bergen, Crowley, Converse and Williams presented petitions in favor of a modification of the excise laws; which were read and referred to the committee on internal affairs.

Messrs. Mattison, Mapes, Crandall, Allen, Wheeler, Mooers, Floyd-Jones, Palmer, Rowland, Willers and Skinner presented petitions in favor of a modification of the excise laws; which were read and referred to the committee on internal affairs.

Mr. Moller called from the table the bill entitled "An act to authorize the board of trustees of the village of West Mount Vernon, in the county of Westchester, to discontinue and close part of Railroad avenue in said village, and grant or lease the same to the Harlem Railroad Company for the erection of a railroad station building."

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 92.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	KEEGAN	PALMER	SKINNER
ALLEN	CURRAN	KELLOGG	PARKER	SLITER
ALVORD	DALY	KERN	PATTENGILL	STORY
ANDREWS	DAY	KING	PATTERSON	STRACK
ASTOR	DOUGLASS	LOWING	CICERO C. PECK	SUTHERLAND
BAKER	FLOYD-JONES	MATTISON	DEWITT C. PECK	J. T. TAYLOR
BEARD	FOSTER	MCDONOUGH	PEEK	TERRY
BERGEN	FRANK	MEAD	POOL	THAIN
BERRIGAN	GALVIN	MEKEEL	PROPER	THOMSON
BOUCK	GRADY	J. H. MILLER	REYNOLDS	TOWNSLEY
BROOKS	GRAHAM	S. V. R. MILLER	ROBERTS	VALENTINE
BROWNING	HAMILTON	MOLLER	SAWYER	WEMPLE
BURNS	HAVENS	MOOERS	SEARING	WHEELER
CASE	I. I. HAYES	MEYENBORG	SEEBACHER	WILBOR
CHASE	HOBBIE	NEILSON	SEWELL	WILLERS
J. CLARK	HOLBROOK	NELSON	SHANLEY	WILLIAMS
J. M. CLARK	HOYT	NORTH	SHEARD	WILLIS
CONVERSE	HULME	NOYES	SHELDON	WINCH
CRANDALL	JONES			

On motion of Mr. Moller, and by unanimous consent, said bill was amended by striking out all after the enacting clause, and inserting in lieu thereof the following:

SECTION 1. Section twenty-five of chapter four hundred and forty-six of the Laws of eighteen hundred and seventy-seven, entitled "An act to amend chapter six hundred and eleven of the Laws of eighteen hundred and sixty-nine, entitled 'An act to incorporate the village of West Mount Vernon, county of Westchester,'" is hereby amended so as to read as follows:

"Section 25. Said board of trustees shall have power to lay out and open, straighten and widen, regulate and grade streets, avenues, lanes, and alleys, *and to close and discontinue the same, or any part thereof; and also to release and sell and convey any such closed and discontinued street, lane or alley, or part thereof, to adjoining owners or other persons,* whenever a majority in number and assessed valuation of the *resident* property owners on such street, avenue, lane or alley shall petition said board for such improvement, and the costs and expenses thereof shall be assessed upon and collected from the real property lying within the district of assessment, which district of assessment shall be fixed by the board of trustees, in the case of each of such improvements after hearing all parties interested who desire to be heard thereon; and said board of trustees shall have power to appoint engineers or surveyors to lay out and superintend such improvement, and their proper charges shall be considered as a part of the cost of the improvement; and, to facilitate the prosecution of any such work as may be petitioned for as before mentioned, the board of trustees shall have power to issue certificates of indebtedness to the amount of the costs of such improvement, to mature in one year, bearing not more than seven per cent interest, and to be negotiated for not less than their par value, and the village shall reimburse itself for such certificates by the collection of assessments herein provided for; such assessment shall be collected and be a lien on the property assessed therefor the same as other taxes and assessments in said village."

§ 2. This act shall take effect immediately.

Amend the title so as to read as follows:

"An act to amend chapter 446 of the Laws of 1877, entitled 'An act to amend chapter 611 of the Laws of 1869, entitled An act to incorporate the village of West Mount Vernon, county of Westchester.'"

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CHASE	HALLIDAY	S. V. R. MILLER	SEARING
ALLEN	CLAPP	HAVENS	MOLLER	SEEBACHER
ALVORD	J. CLARK	I. I. HAYES	MOOERS	SHELDON
ANDREWS	J. M. CLARK	HEPBURN	MEYENBERG	SKINNER
ASTOR	CONVERSE	HOBBIE	NELSON	SLITER
BAKER	CORMACK	HOLAHAN	NOYES	STRACK
BATHE	COSAD	HOYT	PARKER	E. TAYLOR
BEARD	CRANDALL	HULME	PATTENGILL	TERRY
BERGEN	CRAWFORD	HURD	PATTERSON	THAIN
BERRIGAN	CROWLEY	JONES	CICERO C. PECK	THOMSON
BERRY	CURRAN	KEEGAN	DeWITT C. PECK	TOWNSLEY

BOUCK	DEYOE	KELLOGG	PEEK	VALENTINE
BROOKS	FISH	KING	POOL	WEMPLE
BROWNING	FLYNN	LANGNER	PRESCOTT	WHEELER
BRUNDAGE	FOSTER	LOVELAND	REYNOLDS	WILLERS
BURNS	GALVIN	LOWING	ROBERTS	WILLIAMS
CASE	GRADY	MATISON	ROWLAND	WILLIS
CHAPPELL	GRAHAM	MEKEEL	SAWYER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Grady offered, for the consideration of the House, a resolution in the words following:

Resolved, That when this House adjourns to-day, it be to meet again on Monday evening next at eight o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Gilbert moved that Assembly Document No. 44, relative to the chronic insane of Clinton county, be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Burns introduced a bill entitled "An act for the improvement of the navigation of the Hudson river, and to make appropriation therefor," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Also, a bill entitled "An act to amend chapter 58 of the Laws of 1855, entitled "An act in relation to the Troy Water Works," passed March 9, 1855," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Waring, Int. No. 466, entitled "An act to provide for a better administration of the public charities in the county of Kings, and for the creation of a department of public charities therein," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish moved that the said bill be recommitted to the committee on affairs of cities.

Mr. Speaker then put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Graham moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Newburgh,' passed April 22, 1865, and the several acts amendatory thereof," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Brundage moved that Senate bill No. 42, entitled "An act to authorize the transfer to the State of the Soldier's Home, and the appointment of a board of trustees for its completion and control," be referred to the first committee of the whole, not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Hepburn offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill No. 142, G. O. 159, entitled "An act in relation to election of directors and trustees of life insurance companies," be recommitted to the committee on insurance, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hepburn offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill, No. 155, entitled "An act to authorize the formation of town fire insurance companies," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord offered, for the consideration of the House, resolutions in the words following :

Resolved (if the Senate concur), That the Legislature do consent that the Canal Board may abolish all tolls, or impose a nominal rate of tolls upon the following named articles and commodities, namely, plaster and water lime cement, the product of this State.

On motion of Mr. Alvord, and by unanimous consent, said resolution was referred to the committee on canals.

Mr. Prescott offered, for the consideration of the House, a resolution in the words following :

Resolved (if the Senate concur), That there be printed twenty-four hundred (2,400) copies, to be bound in cloth, of the Report of the State Engineer and Surveyor on Railroads, for the year ending September 30, 1877; also, ten copies of said report for each Senator, Member, officer and reporter of the Senate and Assembly, the whole expense thereof to be refunded to the treasury of the State by an equitable assessment by the Comptroller on the several railroad companies of this State, at a cost not to exceed similar printing contracted for.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Mapes offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee on State prisons be and are hereby authorized to visit the several State prisons of the State, and to examine into and report to this House as to the condition of such prisons, their management, and the number and the condition (moral and physical) of the prisoners confined therein, with such suggestions as said committee may see fit to make in connection therewith.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Sheard moved to take from the table the bill entitled "An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

Mr. Speaker put the question whether the House would agree to take said bill from the table, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in

the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HAMILTON	MEKEEL	SEEBACHER
ALVORD	CROWLEY	HAVENS	J. H. MILLER	SHEARD
ANDREWS	CURRAN	I. I. HAYES	S. V. R. MILLER	SHELDON
ASTOR	DAY	HOBBIIE	MOLLER	SKINNER
BAKER	DEYOE	HOLAHAN	NELSON	STRACK
BATHE	DOUGLASS	HOYT	NIVEN	E. TAYLOR
BEARD	FISH	HURD	PALMER	TERRY
BERRY	FITZGERALD	JONES	PARKER	THOMSON
BOUCK	FLOYD-JONES	KEEGAN	PATTENGILL	TOWNSLEY
BROWNING	FLYNN	KELLOGG	PATTERSON	VALENTINE
BRUNDAGE	FOSTER	KERN	CICERO C. PECK	WEMPLE
BURNS	GALVIN	KING	PEEK	WHEELER
CASE	GILBERT	LANGNER	POOL	WILBOR
CHAPPELL	GRADY	LOVELAND	PRESCOTT	WILLERS
CHASE	GRAHAM	LOWING	REYNOLDS	WILLIAMS
J. M. CLARK	GRIGGS	MATTISON	ROBERTS	WILLIS
CONVERSE	HALLIDAY	MCDONOUGH	ROWLAND	WINCH
COSAD				

Mr. Allen moved that said bill be recommitted to the committee on internal affairs, retaining its place on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Halliday, and by unanimous consent, the special order for Tuesday morning, March twelfth, was reconsidered.

On motion of Mr. Halliday, and by unanimous consent, the bill relative to apportionment of the State was made a special order for Friday morning next immediately after the reading of the journal.

Mr. Curran moved to take from the table the adverse report of the committee on insurance in the words following :

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Curran, Int. No. 137, entitled "An act to amend chapter 359 of the Laws of 1876, entitled 'An act to amend chapter 464 of the Laws of 1875, entitled An act to require the payment of certain premiums to the fire departments of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York, but doing business therein,' passed May 28, 1875," reported adversely thereto.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

By unanimous consent,

Mr. Graham offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill No. 109, entitled "An act to amend the charter of the city of Newburgh," be recommitted to the committee on affairs of cities, with instructions to make the following amendments, and report forthwith, said bill retaining its place on the order of third reading of bills :

Amend section 15 by inserting, after the word "him," in line 7, the words "the collector elected in March, eighteen hundred and seventy-eight, and."

In line 45, same section, strike out the words "who shall be."

In section 22, at the end of line 6, insert the words "provided ten days' notice, in writing, of their intention to do so shall have previously been given to the occupant or occupants of said premises."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker presented the Annual Report of the Wyoming Benevolent Institution; which was laid upon the table and ordered printed.

(See Doc. No. 73.)

The bill entitled "An act to authorize the city of Elmira to issue bonds for the payment of certain other bonds of said city, falling due on or before November 1, 1878," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HOBBIE	MOOERS	SHANLEY
ALLEN	CORMACK	HOLAHAN	MEYENBORG	SHEARD
ALVORD	COSAD	HOLBROOK	NIVEN	SHELDON
ANDRWS	CROWLEY	HOYT	NORTH	SKINNER
ASTOR	DAY	HURD	NOYES	SLITER
BATHE	DEYOE	JONES	PALMER	SUTHERLAND
BEARD	FISH	KELLOGG	PARKER	E. TAYLOR
BERGEN	FITZGERALD	KING	PATTERSON	TERRY
BERRIGAN	FLOYD-JONES	LANGNER	CICERO C. PECK	THAIN
BERRY	FLYNN	LOVELAND	DEWITT C. PECK	THOMSON
BOUCK	FOSTER	LOWING	POOL	TOWNSLEY
BROOKS	GILBERT	MATTISON	PRESCOTT	VALENTINE
BROWNING	GRADY	MCDONOUGH	PROPER	WILBOR
BURNS	GRIGGS	MEKEEL	ROBERTS	WILLIS
CHAPPELL	I. I. HAYES	J. H. MILLER	ROWLAND	WINCH
CHASE	J. HAYES	S. V. R. MILLER	SEARING	WORTH
J. CLARK	HENRY	MOLLER	SEWELL	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill entitled as follows:

"An act regulating the stenographic reporting in impeachment trials and trials before the Senate," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Gilbert, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 61.

NOES 40.

Those who voted in the affirmative, were

ALLEN	CRANDALL	HAMILTON	LOVELAND	CICERO C. PECK
ALVORD	CROWLEY	HAVENS	LOWING	POOL
ASTOR	CURRAN	I. I. HAYES	J. H. MILLER	SEEBACHER
BATHE	DALY	HEPBURN	MOOERS	SHANLEY
BERGEN	DAY	HOBBIE	MEYENBORG	SHEARD
BERRIGAN	DEYOE	HOLAHAN	NEILSON	SHELDON
BERRY	FISH	HOLBROOK	NIVEN	SLITER

BOUCK	GALVIN	HOYT	NORTH	VALENTINE
BROWNING	GILBERT	HULME	NOYES	WILBOR
BURNS	GRADY	HURD	PALMER	WILLIS
CASE	GRAHAM	KEEGAN	PARKER	WINCH
CHAPPELL	HALLIDAY	LANGNER	PATTERSON	WORTH
J. M. CLARK				

Those who voted in the negative, were

ABBOTT	COSAD	MATTISON	ROWLAND	E. TAYLOR
ANDREWS	CRAWFORD	S. V. R. MILLER	SAWYER	TERRY
BEARD	FLOYD-JONES	NELSON	SEARING	THAIN
BROOKS	FOSTER	PATTENGILL	SEWELL	THOMSON
BRUNDAGE	HENRY	PRESCOTT	SKINNER	TOWNSLEY
CHASE	JONES	PROPER	STORY	WEMPLE
CLAPP	KERN	REYNOLDS	STRACK	WILLERS
CORMACK	MAPES	ROBERTS	SUTHERLAND	WILLIAMS

Mr. Gilbert moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, as follows :

AYES 83.

NOES 7.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOBBIE	MEYENBORG	SHANLEY
ALLEN	CURRAN	HOLAHAN	NIVEN	SHEARD
ANDREWS	DAY	HOLBROOK	NORTH	SHELDON
ASTOR	DEYOE	HOYT	NOYES	SLITER
BERGEN	DOUGLASS	HULME	PALMER	STORY
BERRIGAN	FISH	HURD	PATTENGILL	STRACK
BERRY	FLYNN	JONES	CICERO C. PECK	SUTHERLAND
BOUCK	FOSTER	KEEGAN	DEWITT C. PECK	E. TAYLOR
BROWNING	FRANK	KELLOGG	POOL	TERRY
BRUNDAGE	GALVIN	KERN	PRESCOTT	THAIN
BURNS	GILBERT	KING	ROBERTS	TOWNSLEY
CASE	GRADY	LANGNER	ROWLAND	VALENTINE
CHAPPELL	GRAHAM	LOVELAND	SAWYER	WEMPLE
CHASE	HALLIDAY	LOWING	SEARING	WILBOR
CLAPP	HAMILTON	MATTISON	SEEBACHER	WILLIS
J. CLARK	HAVENS	S. V. R. MILLER	SEWELL	WINCH
J. M. CLARK	I. I. HAYES	MOOERS		

Those who voted in the negative, were

BEARD	NELSON	THOMSON	WILLERS	WILLIAMS
CORMACK	SKINNER			

Mr. Gilbert moved that said bill be recommitted to the committee on the judiciary, with instructions to amend the same by striking out the word "twenty-five," and inserting in lieu thereof the word "fifteen." Same line, strike out the word "his," and insert in lieu thereof the word "one ;" and that said committee report forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Gilbert, from the committee on the judiciary, reported back said bill amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87.

NOES 5.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HOBBIE	MOOERS	SHANLEY
ALLEN	CROWLEY	HOLBROOK	MEYENBORG	SHELDON
ALVORD	CURRAN	HOYT	NIVEN	SKINNER
ANDREWS	DAY	HULME	NORTH	SLITER
ASTOR	DEYOE	HURD	NOYES	STORY
BAKER	DOUGLASS	JONES	PALMER	STRACK
BATHE	FISH	KEATOR	PARKER	SUTHERLAND
BERGEN	FLOYD-JONES	KEEGAN	PATTENGILL	E. TAYLOR
BERRIGAN	FLYNN	KELLOGG	PATTERSON	J. T. TAYLOR
BERRY	FRANK	KERN	CICERO C. PECK	TERRY
BOUCK	GALVIN	KING	DeWITT C. PECK	THAIN
BROWNING	GILBERT	LOVELAND	PRESCOTT	VALENTINE
BRUNDAGE	GRAHAM	LOWING	REYNOLDS	WEMPLE
CASE	HALLIDAY	MATTISON	ROWLAND	WHEELER
CHASE	HAMILTON	MEKEEL	SAWYER	WILBOR
CLANCY	I. I. HAYES	S. V. R. MILLER	SEARING	WILLIS
CLAPP	HENRY	MOLLER	SEEBACHER	WORTH
J. CLARK	HEPBURN			

Those who voted in the negative, were

BEARD	CORMACK	THOMSON	WILLERS	WILLIAMS
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows :

“An act in relation to the fees of the collector of the town of New Paltz, in Ulster county.”

Ordered, That the Clerk deliver said bill to the Governor.

The bill entitled “An act relating to the coroners of the city and county of New York, their duties and compensation,” having been announced for a third reading,

Mr. Holahan moved that said bill be recommitted to the committee on affairs of cities, with instructions to amend the same as follows :

Section 3, engrossed bill, line 4, strike out the word “two,” and insert in lieu thereof the word “four.”

Add, at the end of section 3, the words “the board of coroners, for cause, may remove the physicians appointed by them.”

Section 5, strike out all after the word “law,” in line 8.

Section 6, line 7, strike out, after the word “supervisor,” down to the word “The,” in line 10.

Said committee to report forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, reported back said bill amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 1.

Those who voted in the affirmative, were

ALVORD	DALY	HOLBROOK	NIVEN	SHEARD
ANDREWS	FISH	HOYT	NORTH	SHELDON

ASTOR	FITZGERALD	HULME	NOYES	SKINNER
BAKER	FLOYD-JONES	HURD	PALMER	SLITER
BATHE	FLYNN	JONES	PARKER	SPEAKER
BEARD	FOSTER	KEEGAN	PATTENGILL	STORY
BERRIGAN	FRANK	KELLOGG	CICERO C. PECK	STRACK
BOUCK	GILBERT	KING	POOL	SUTHERLAND
BROOKS	GRADY	LOVELAND	PRESCOTT	E. TAYLOR
BRUNDGAE	GRAHAM	LOWING	REYNOLDS	TERRY
CASE	GRIGGS	MAPES	ROBERTS	THAIN
CHAPPELL	HALLIDAY	MATTISON	ROWLAND	THOMSON
CHASE	HAMILTON	MEKEEL	SAWYER	WILBOR
CLANCY	HAVENS	S. V. R. MILLER	SEARING	WILLERS
CLAPP	I. I. HAYES	MOLLER	SEEBACHER	WILLIAMS
CORMACK	HOBBIE	MOOERS	SEWELL	WILLIS
COSAD	HOLAHAN	MEYENBORG	SHANLEY	WINCH
CROWLEY				

For the negative,

GALVIN

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Valentine, and by unanimous consent, the special order for Tuesday morning was reconsidered.

On motion of Mr. Valentine, and by unanimous consent, the bill relating to excise was made a special order for Thursday morning immediately after the reading of the journal.

On motion of Mr. Grady, and at one o'clock, the House adjourned.

MONDAY, MARCH 4, 1878.

The House met pursuant to adjournment.

Prayer by Rev. F. J. McGuire.

The journal of Friday, March 1, was read and approved.

The Senate sent for concurrence a resolution in the words following :

Resolved (if the Assembly concur), That 1,500 copies of the Annual Report of the Prison Association of New York be printed; 1,000 for the use of the association, and 500 for the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

The Senate returned the bill entitled "An act regulating the stenographic reporting in impeachment trials and trials before the Senate," with a message that they do non-concur in the Assembly amendments thereto, and have appointed as a committee of conference on the part of the Senate, Messrs. J. F. Pierce, Edick and Turner, and request a like committee on the part of the Assembly.

Mr. Gilbert moved that a like committee on the part of the House be appointed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as said committee Messrs. Gilbert, Prescott, Abbott, Allen and Halliday.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon.

The Senate returned the bill entitled "An act to authorize the board of trustees of the village of West Mount Vernon, in the county of Westchester, to discontinue and close part of Railroad avenue in said village, and grant or lease the same to the Harlem Railroad Company for the erection of a railroad station building," with a message that they had reconsidered the vote on the final passage of said bill, and had passed the same, as amended by the Assembly, together with the amendment to the title thereof.

Ordered, That the Clerk return said bill to the Senate.

Mr. Speaker presented a communication from the Secretary of State, in the words following:

STATE OF NEW YORK — OFFICE OF SECRETARY OF STATE, }
ALBANY, *March 4, 1878.* }

To the Hon. JAS. W. HUSTED, *Speaker of the Assembly*:

SIR — I have the honor to transmit, herewith, a report on the Statistics of crime in this State, prepared from reports of clerk of courts and sheriffs, received at this office for the year ending October 31, 1877.

ALLEN C. BEACH,
Secretary of State.

On motion of Mr. Hepburn, and by unanimous consent, said report was laid upon the table and ordered printed.

(*See Doc. No. 75.*)

Mr. Speaker presented a communication in the words following:

EXECUTIVE DEPARTMENT — CITY HALL, }
NEW YORK, *February 28, 1878.* }

Hon. JAMES W. HUSTED, *Speaker of the Assembly*:

SIR. — Pursuant to the request of the common council of this city, I herewith transmit a copy of a preamble and resolution adopted by said common council disapproving of the passage of the act now before the Legislature to repeal the act establishing the College of the City of New York.

Very respectfully,
SMITH ELY, Jr., *Mayor.*

Ordered, That said communication be referred to the committee on affairs of cities.

Mr. Foster introduced a bill entitled "An act to amend chapter 62 of the Laws of 1877, entitled 'An act to amend chapter 341 of the Laws of 1872, entitled An act in reference to the Young Men's Association, for mutual improvement, in the city of Albany,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Foster introduced a bill entitled "An act to release certain lands which have escheated to the State, to Louisa Hanneder, widow of Joseph Hanneder, late of the city of Albany, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on aliens.

Mr. King introduced a bill entitled "An act in relation to the powers and duties of attorneys-at-law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mapes introduced a bill entitled "An act to assert the sovereignty

of the people of the State of New York, and to require of all corporations doing business as common carriers under the laws thereof, free first-class passage for officers and members of the Legislature," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McDonough introduced a bill entitled "An act to amend section 435 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Seebacher introduced a bill entitled "An act relating to the health department of the city of New York, to the board of health thereof, and to the Sanitary Code of said department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hoyt introduced a bill entitled "An act to repeal chapter 418 of the Laws of 1870, entitled 'An act to provide for the payment of the board of vagrants committed to the alms-house of the city and town of Newburgh,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Keegan introduced a bill entitled "An act to amend chapter 268 of the Laws of 1877, entitled 'An act in relation to the collection of taxes and the sales of land therefor in certain towns of Queens county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Palmer introduced a bill entitled "An act to amend section 18 of article 3 of title 3 of chapter 130 of Laws, passed April 5, 1842, entitled 'An act respecting elections other than for militia and town officers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Niven introduced a bill entitled "An act to organize a board of education for school district No. 1, in the town of Thompson, in the county of Sullivan, and to provide for the erection of a suitable school edifice therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Moller introduced a bill entitled "An act to incorporate the Mount Pleasant Water Works Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sewell introduced a bill entitled "An act to amend sections 5 and 6 of title 1 of chapter 13 of part 1 of the Revised Statutes, and to repeal section 12 of said title," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Moller presented a petition of citizens of Westchester county in favor of a modification of excise laws; which was read and referred to the committee on internal affairs.

Mr. Lowing presented a petition of citizens of Wyoming county against a modification of excise laws; which was read and referred to the committee on internal affairs.

Mr. Williams presented a petition of 400 citizens of the towns of Ellery and Harmony praying for the repeal of certain laws relating to fishing in Chautauqua lake; which was read and referred to the committee on game laws.

Mr. Keegan presented a petition of the board of supervisors of Queens county in relation to the reduction of ferriage on the Thirty-fourth street ferry ; which was read and referred to the committee on commerce and navigation.

Mr. Alvord presented a petition of citizens of Onondaga county against the passage of the bank bill ; which was read and referred to the committee on banks.

Mr. Loveland presented a petition of town officers of the town of Pendleton, Niagara county, for the protection of the public highway along Tonawanda creek, in said town ; which was read and referred to the committee on canals.

Mr. Cosad offered, for the consideration of the House, a resolution in the words following :

Resolved, That the Comptroller be and he is hereby respectfully requested to inform this House what amounts have been contributed by the State and expended for the past thirty years for the improvement of the navigable Hudson river ; and, if possible, also to state separately the amounts so contributed and expended for the improvement of the said river, at and below the city of Albany, as well as the amounts contributed and expended for such improvement above the city of Albany.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hurd offered, for the consideration of the House, a resolution in the words following :

Whereas, The vast and rapidly increasing commerce of the lakes imperatively demands that some action be immediately taken which shall result in providing for an ample, cheaper, and more rapid transit by water of the immense products of the west to the seaboard ; and,

Whereas, The near approach of the completion of the Welland canal, affording capacity for the passage of transports of the largest classes, will divert a large portion of the commerce of the west to foreign bottoms and to foreign ports ; and,

Whereas, The Forty-first Congress, through the action of two of its leading committees (the committee on commerce and the committee on appropriations), recognized the national importance of our trunk canals as a public highway, and the propriety of enlarging the same, in favorably reporting to the House a bill authorizing the issue of bonds of the United States in an amount sufficient to enlarge the trunk canals of New York, so as to allow the passage of boats carrying 600 tons burden ; and,

Whereas, Public sentiment and the business judgment of the country clearly indicate that Congress will now be fully justified in consummating the project inaugurated by the committees of the Forty-first Congress ; therefore,

Resolved (if the Senate concur), That whenever the government elects to issue and deliver to the properly constituted authorities of the State of New York bonds of the United States in an amount sufficient to cancel the present canal debt of the State, and to enlarge the trunk canals of the State so as to allow the passage of boats of the capacity of 600 tons burden, then the State will cause the proceeds of said bonds to be expended for the purpose above specified, as soon as the same can be done without materially interrupting the navigation of the canals, and to declare and dedicate said canals as public highways, to be and remain forever free to the commerce of the nation from the lakes to tide-water.

On motion of Mr. Hurd, and by unanimous consent, said resolution was referred to the committee on canals.

Mr. Speaker announced order of business third reading of bills.

Mr. Alvord moved that said order of business be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker then announced order of business general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to authorize the transfer to the State of the Soldiers' Home, and the appointment of a board of trustees for its completion and control."

"An act to repeal chapter 556 of the Laws of 1871, entitled 'An act relating to Queens county Railway Company, passed April 19, 1871, and to repeal the first section of chapter 633 of the Laws of 1872, entitled An act relating to Queens County Railway Company,' passed May 10, 1872."

"An act to extend the powers and privileges of The Brooklyn Children's Aid Society."

And after some time spent therein, Mr. Niven in the chair, a vote being ordered and a quorum not voting,

Mr. Speaker resumed the chair and directed the Clerk to call the roll, and ascertain if a quorum was present, when the following named gentlemen answered to their names :

ALLEN	CORMACK	HOLBROOK	MOOERS	SEWELL
ALVORD	COSAD	HOYT	MEYENBORG	SHANLEY
ANDREWS	CURRAN	HULME	NELSON	SHELDON
BAKER	DOUGLASS	HURD	NIVEN	SKINNER
BEARD	FLOYD-JONES	KEEGAN	NOYES	SPEAKER
BERGEN	FOSTER	KELLOGG	PALMER	SUTHERLAND
BERRIGAN	GALVIN	KING	PATTENGILL	E. TAYLOR
BERRY	GILBERT	LANGNER	CICERO C. PECK	THOMSON
BOUCK	GRADY	LOVELAND	DEWITT C. PECK	WARING
BROWNING	GRIGGS	LOWING	POOL	WHEELER
BRUNDAGE	HALLIDAY	MAPES	PRESCOTT	WILBOR
CHAPPELL	HAMILTON	MATTISON	REYNOLDS	WILLERS
CHASE	J. HAYES	MCDONOUGH	ROWLAND	WILLIAMS
CLAPP	HENRY	MEKEEL	SAWYER	WILLIS
J. M. CLARK	HEPBURN	MOLLER	SEEBACHER	WINCH
CONVERSE	HOLAHAN			

A quorum being present,

Mr. Niven again resumed the chair, and reported progress on the first and last named bills, and asked and obtained leave to sit again.

Mr. Alvord moved that the committee of the whole be discharged from the further consideration of the first named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then ordered engrossed for a third reading.

Mr. Niven, from the same committee, also reported in favor of the passage of the second named bill, with the title amended by striking out the words "passed April nineteenth, eighteen hundred and seventy-one;" also, "passed May tenth, eighteen hundred and seventy-two," which report was agreed to, and said bill was ordered engrossed for a third reading.

On motion of Mr. Alvord, and at nine o'clock and thirty minutes, the House adjourned.

TUESDAY, MARCH 5, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Smart.

The journal of yesterday was read and approved.

Mr. Speaker presented a communication from the board of education of the city of New York, in response to a resolution of the Assembly, relative to the names and official designation of the persons employed under the said board of education, together with the amount of compensation paid to each during the year 1877, and the amount proposed to be paid for the year 1878; which was laid upon the table and ordered printed.

(See Doc. No. 83.)

On motion of Mr. Speaker, the privileges of the floor were granted to the Hon. Dewitt C. Talmage.

By unanimous consent,

Mr. Floyd-Jones introduced a bill entitled "An act further to amend chapter 510 of the Laws of 1869, entitled 'An act to amend an act entitled An act to incorporate the village of Flushing, passed April 15, 1837, and the several acts amendatory thereof,' passed March 20, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Pursuant to the ninth joint rule, order of business third reading of bills.

The bill entitled "An act to authorize a tax of three-tenths of a mill per dollar of valuation, to provide for a deficiency in the Sinking Fund under article 7, section 3 of the Constitution," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	HOYT	MEYENBORG	SHANLEY
ALLEN	DAY	HULME	NEILSON	SHEARD
ALVORD	FISH	HURD	NELSON	SHELDON
ASTOR	FITZGERALD	KELLOGG	NOYES	SKINNER
BEARD	FLOYD-JONES	KING	PALMER	SLITER
BERRIGAN	FLYNN	LANGNER	PARKER	STRACK
BERRY	FOSTER	LOVELAND	PATTENGILL	E. TAYLOR
BROOKS	GILBERT	LOWING	PATTERSON	THAIN
CHAPPELL	GRADY	MAPES	CICERO C. PECK	THOMSON
CHASE	GRIGGS	MATTISON	PEEK	WARING
CLAPP	HALLIDAY	MCDONOUGH	PIPER	WHEELER
J. CLARK	HAMILTON	MEAD	POOL	WILBOR
J. M. CLARK	HAVENS	MEKEEL	PRESCOTT	WILLERS
CORMACK	I. I. HAYES	J. H. MILLER	ROWLAND	WILLIAMS
COSAD	J. HAYES	S. V. R. MILLER	SAWYER	WILLIS
CROWLEY	HOLAHAN	MOLLER	SEWELL	WINCH
CURRAN	HOLBROOK	MOOERS		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Floyd-Jones moved to take from the table the Senate bill entitled "An act in relation to the powers and duties of the State Commissioner in Lunacy."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Floyd-Jones moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	GRIGGS	MAPES	POOL
ALLEN	J. CLARK	HALLIDAY	MATTISON	ROWLAND
ALVORD	J. M. CLARK	HAMILTON	MCDONOUGH	SEEBACHER
ANDREWS	CONVERSE	HAVENS	MEAD	SHANLEY
ASTOR	COSAD	I. I. HAYES	S. V. R. MILLER	SHEARD
BAKER	CRAWFORD	J. HAYES	MOLLER	SHELDON
BEARD	CROWLEY	HENRY	MOOERS	SKINNER
BERGEN	CURRAN	HOLAHAN	MEYENBORG	STORY
BERRIGAN	DALY	HOLBROOK	NELSON	SUTHERLAND
BERRY	DAY	HOYT	NOYES	E. TAYLOR
BOUCK	FISH	HULME	PALMER	THAIN
BROWNING	FITZGERALD	KEEGAN	PARKER	THOMSON
BRUNDAGE	FLOYD-JONES	KELLOGG	PATTENGILL	WARING
CASE	FLYNN	KERN	PATTERSON	WILBOR
CHAPPELL	GALVIN	LANGNER	CICERO C. PECK	WILLERS
CHASE	GILBERT	LOVELAND	PEEK	WILLIAMS
CLANCY	GRADY	LOWING	PIPER	WILLIS

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 77.

NOES 8.

Those who voted in the affirmative, were

ABBOTT	DALY	HOLBROOK	MOOERS	SEEBACHER
ALLEN	DAY	HOYT	MEYENBORG	SHANLEY
BEARD	FITZGERALD	HULME	NELSON	SHEARD
BERGEN	FLOYD-JONES	HURD	NIVEN	SHELDON
BOUCK	FLYNN	KEEGAN	NOYES	STORY
BROOKS	GALVIN	KELLOGG	PALMER	STRACK
BROWNING	GILBERT	KERN	PARKER	SUTHERLAND
CHAPPELL	GRADY	LANGNER	PATTENGILL	E. TAYLOR
CHASE	GRIGGS	LOVELAND	PATTERSON	TERRY
CLAPP	HALLIDAY	LOWING	CICERO C. PECK	THAIN
J. CLARK	HAMILTON	MAPES	PEEK	THOMSON
CONVERSE	HAVENS	MATTISON	PIPER	WHEELER
CORMACK	I. I. HAYES	MEKEEL	POOL	WILBOR
COSAD	J. HAYES	S. V. R. MILLER	ROWLAND	WILLIAMS
CROWLEY	HENRY	MOLLER	SAWYER	WILLIS
CURRAN	HOLAHAN			

Those who voted in the negative, were

ALVORD	ASTOR	J. M. CLARK	FOSTER	SKINNER
ANDREWS	BERRIGAN	FISH		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 971 of the Laws of 1867, entitled 'An act for the incorporation of co-operative and industrial unions,' and to amend the title of said act," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLANCY	HAMILTON	MOLLER	SHEARD
ALLEN	CLAPP	I. I. HAYES	MOOERS	SHELDON
ALVORD	J. CLARK	J. HAYES	NELSON	SKINNER
ANDREWS	J. M. CLARK	HOLAHAN	NIVEN	STORY
ASTOR	CORMACK	HOLBROOK	PARKER	STRACK
BAKER	COSAD	HOYT	PATTENGILL	SUTHERLAND
BATHE	CRAWFORD	HULME	PATTERSON	E. TAYLOR
BEARD	CROWLEY	KEEGAN	CICERO C. PECK	THAIN
BERGEN	CURRAN	KELLOGG	PEEK	THOMSON
BERRIGAN	DALY	LANGNER	PIPER	WADSWORTH
BERRY	DAY	LOVELAND	POOL	WHEELER
BOUCK	FISH	MAPES	PRESCOTT	WILBOR
BROOKS	FITZGERALD	MATTISON	ROWLAND	WILLERS
BROWNING	FLOYD-JONES	MCDONOUGH	SAWYER	WILLIAMS
BRUNDAGE	FLYNN	MEKEEL	SEARING	WILLIS
CHAPPELL	FOSTER	S. V. R. MILLER	SEWELL	WINCH
CHASE	GRADY			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the officers and medical staff of Willard Asylum for the Insane," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 70.

NOES 8.

Those who voted in the affirmative, were

ABBOTT	CLAPP	GRIGGS	MAPES	PIPER
ALLEN	J. CLARK	HAVENS	MATTISON	ROWLAND
ALVORD	J. M. CLARK	I. I. HAYES	MEAD	SEEBACHER
ANDREWS	CONVERSE	HOLBROOK	MEKEEL	SHEARD
BAKER	COSAD	HOYT	MOOERS	SHELDON
BATHE	CRAWFORD	HULME	MEYENBORG	STRACK
BERGEN	CURRAN	HURD	NELSON	E. TAYLOR
BERRIGAN	DALY	KEEGAN	NIVEN	TERRY
BERRY	DAY	KELLOGG	NOYES	THOMSON
BOUCK	FITZGERALD	KERN	PARKER	WADSWORTH
BROOKS	FLOYD-JONES	KING	PATTENGILL	WARING
CHAPPELL	GALVIN	LANGNER	PATTERSON	WHEELER
CHASE	GILBERT	LOVELAND	DEWITT C. PECK	WILBOR
CLANCY	GRADY	LOWING	PEEK	WILLERS

Those who voted in the negative, were

BEARD	FOSTER	POOL	SKINNER	SUTHERLAND
CORMACK	S. V. R. MILLER	PRESCOTT		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act further to amend section 2 of title 2 of chapter 13 of part 1 of the Revised Statutes, entitled 'Of the assessment and collection of taxes,' and to amend chapter 427 of the Laws of 1855, entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HAVENS	MATTISON	PRESCOTT
ALLEN	J. CLARK	I. I. HAYES	MEAD	ROWLAND
ALVORD	J. M. CLARK	J. HAYES	MEKEEL	SHELDON
ANDREWS	CONVERSE	HENRY	S. V. R. MILLER	SKINNER
ASTOR	CORMACK	HEPBURN	MOOERS	STORY
BAKER	COSAD	HOLAHAN	NELSON	STRACK
BATHE	CROWLEY	HOLBROOK	NIVEN	SUTHERLAND
BEARD	DAY	HOYT	NOYES	E. TAYLOR
BERRIGAN	FISH	HULME	PALMER	TERRY
BERRY	FITZGERALD	KEEGAN	PARKER	THAIN
BOUCK	FLOYD-JONES	KERN	PATTENGILL	THOMSON
BROOKS	FLYNN	KING	CICERO C. PECK	WILBOR
BROWNING	FOSTER	LANGNER	DEWITT C. PECK	WILLERS
BRUNDAGE	GALVIN	LOVELAND	PEEK	WILLIAMS
CHAPPELL	GRADY	LOWING	PIPER	WILLIS
CHASE	GRIGGS	MAPES	POOL	WINCH
CLANCY				

For the negative,

CURRAN

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act supplemental to the Code of Procedure," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 21.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLAHAN	NOYES	SKINNER
ALLEN	COSAD	HOLBROOK	PALMER	STORY
ANDREWS	CRAWFORD	HULME	PARKER	STRACK
ASTOR	DALY	HURD	PATTENGILL	SUTHERLAND
BAKER	FISH	KEEGAN	PATTERSON	E. TAYLOR
BATHE	FITZGERALD	KERN	CICERO C. PECK	TERRY
BEARD	FLOYD-JONES	KING	DEWITT C. PECK	THAIN
BERRIGAN	FLYNN	LOVELAND	PEEK	THOMSON
BERRY	FOSTER	LOWING	PIPER	WADSWORTH
BROOKS	FRANK	MAPES	POOL	WARING
BROWNING	GALVIN	MATTISON	ROWLAND	WHEELER
BRUNDAGE	GILBERT	MCDONOUGH	SAWYER	WILBOR
CHAPPELL	GRADY	S. V. R. MILLER	SEEBACHER	WILLIAMS
CHASE	I. I. HAYES	MOLLER	SEWELL	WILLIS
J. CLARK	J. HAYES	MOOERS	SHANLEY	WINCH
J. M. CLARK	HENRY	MEYENBORG	SHELDON	SPEAKER

Those who voted in the negative, were

ALVORD	CROWLEY	HALLIDAY	KELLOGG	NELSON
BOUCK	CURRAN	HAMILTON	LANGNER	NIVEN
CLANCY	DAY	HAVENS	MEAD	PRESCOTT
CLAPP	GRIGGS	HOYT	MEKEEL	WILLERS
CORMACK				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act to repeal chapter 556 of the Laws of 1871, entitled 'An act relating to Queens County Railway Company,' and to repeal the first section of chapter 633 of the Laws of 1872, entitled 'An act relating to Queens County Railway Company.'"

The bill entitled "An act to amend chapter 150 of the Laws of 1837, entitled 'An act authorizing the loan of certain moneys belonging to the United States deposited with the State of New York for safe-keeping,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 74. NOES 7.

Those who voted in the affirmative, were

ALLEN	CLAPP	GRADY	MEKEEL	SEEBACHER
ALVORD	J. CLARK	HALLIDAY	S. V. R. MILLER	SHELDON
ANDREWS	J. M. CLARK	HAMILTON	MOOERS	SKINNER
BAKER	CONVERSE	HAVENS	NIVEN	STORY
BATHE	CRANDALL	I. I. HAYES	NOYES	SUTHERLAND
BEARD	CROWLEY	HOLAHAN	PALMER	E. TAYLOR
BERRIGAN	CURRAN	HOLBROOK	PATTENGILL	TERRY
BERRY	DALY	HOYT	PATTERSON	THOMSON
BOUCK	DAY	HULME	CICERO C. PECK	WADSWORTH
BROOKS	FITZGERALD	KEEGAN	DEWITT C. PECK	WHEELER
BROWNING	FLOYD-JONES	KELLOGG	PEEK	WILBOR
BRUNDAGE	FLYNN	LANGNER	PIPER	WILLERS
CHAPPELL	FOSTER	LOVELAND	POOL	WILLIS
CHASE	GALVIN	LOWING	PRESCOTT	WINCH
CLANCY	GILBERT	MEAD	ROWLAND	

Those who voted in the negative, were

CORMACK	J. HAYES	NELSON	SAWYER	WARING
FISH	KING			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 386 of the Laws of 1851, entitled 'An act to amend, consolidate, and reduce to one act the various acts relative to common schools of the city of New York,' passed July 3, 1851, and the several acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77. NOES 1.

Those who voted in the affirmative, were

ABBOTT	J. CLARK	HAVENS	MCDONOUGH	SEEBACHER
ALLEN	J. M. CLARK	I. I. HAYES	MOOERS	SEWELL
ALVORD	CONVERSE	HENRY	MEYENBERG	SHANLEY
ANDREWS	CORMACK	HOLAHAN	NIVEN	SHELDON
ASTOR	COSAD	HOLBROOK	NOYES	SKINNER
BATHE	CROWLEY	HOYT	PALMER	STRACK
BEARD	CURRAN	HULME	PATTENGILL	E. TAYLOR

BERRIGAN	DALY	KEEGAN	PATTERSON	TERRY
BERRY	FISH	KELLOGG	DEWITT C. PECK	THAIN
BOUCK	FITZGERALD	KING	PEEK	THOMSON
BROOKS	FLOYD-JONES	LANGNER	PIPER	WARING
BROWNING	GALVIN	LOVELAND	POOL	WHEELER
BRUNDAGE	GILBERT	LOWING	PRESCOTT	WILBOR
CHAPPELL	GRADY	MAPES	ROWLAND	WILLERS
CHASE	HALLIDAY	MATTISON	SAWYER	WILLIS
CLAPP	HAMILTON			

For the negative,

NELSON

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorize the transfer to the State of the Soldiers' Home, and the appointment of a board of trustees for its completion and control," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HENRY	MOLLER	SEWELL
ALLEN	J. CLARK	HEPBURN	MOERS	SHANLEY
ALVORD	CONVERSE	HOLAHAN	MEYENBORG	SHELDON
ANDREWS	CORMACK	HOYT	NIVEN	SKINNER
ASTOR	CRAWFORD	HULME	NOYES	SPEAKER
BAKER	CROWLEY	KELLOGG	PALMER	STORY
BATHE	DALY	KERN	PARKER	STRACK
BEARD	FISH	KING	PATTENGILL	E. TAYLOR
BERRIGAN	FLOYD-JONES	LANGNER	PATTERSON	TERRY
BERRY	FOSTER	LOVELAND	CICERO C. PECK	THAIN
BROOKS	GALVIN	LOWING	DEWITT C. PECK	THOMSON
BROWNING	GILBERT	MAPES	PEEK	WARING
BRUNDAGE	GRADY	MATTISON	PIPER	WILBOR
CHAPPELL	GRIGGS	MEAD	POOL	WILLIAMS
CHASE	HAMILTON	MEKEEL	PRESCOTT	WILLIS
CLANCY	HAVENS	S. V. R. MILLER	ROWLAND	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to repeal chapter 556 of the Laws of 1871, entitled 'An act relating to Queens County Railway Company,' and to repeal the first section of chapter 633 of the Laws of 1872, entitled 'An act relating to Queens County Railway Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HAVENS	MEYENBORG	SHANLEY
ALLEN	COSAD	I. I. HAYES	NOYES	SHEARD
ALVORD	CRAWFORD	HENRY	PALMER	SHELDON
ANDREWS	CROWLEY	HULME	PARKER	SKINNER
ASTOR	CURRAN	HURD	PATTENGILL	STORY

BAKER	DAY	KEEGAN	PATTERSON	STRACK
BATHE	DOUGLASS	KERN	CICERO C. PECK	E. TAYLOR
BEARD	FISH	KING	DEWITT C. PECK	TERRY
BERRY	FITZGERALD	LANGNER	PEEK	THAIN
BRUNDAGE	FLOYD-JONES	LOVELAND	PIPER	THOMSON
CHAPPELL	FLYNN	LOWING	POOL	WARING
CHASE	FOSTER	MAPES	PRESCOTT	WILBOR
CLANCY	GILBERT	MCDONOUGH	ROWLAND	WILLIAMS
CLAPP	GRIGGS	MEAD	SAWYER	WILLIS
J. CLARK	HALLIDAY	MEKEEL	SEWELL	WINCH
CONVERSE	HAMILTON	MOOERS		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Grady offered, for the consideration of the House, a resolution in the words following :

Resolved (if the Senate concur), That the Senators and Representatives of the State of New York, in the Congress of the United States, be and they are hereby earnestly requested to vote for such bill as has been or may be presented to them, providing for the payment of a pension to the veterans of the Mexican war.

Ordered, That said resolution be laid upon the table.

Mr. Gilbert, from the committee of conference appointed by the Senate and Assembly, to which was referred the matter of difference between the two Houses upon the Senate bill entitled "An act regulating the stenographic reporting in impeachment trials and trials before the Senate, having met and duly considered the same, have agreed to recommend that the Senate concur in the amendment made to said bill in the Assembly, by inserting the word "one," in place of the word "his;" and that the Assembly recede from their amendment made in substituting the word "fifteen," in place of the word "twenty-five."

JAMES F. PIERCE,
SAMUEL V. EDICK,
HENRY E. TURNER,

Senate Committee.

J. I. GILBERT,
T. G. ALVORD,
H. F. ALLEN,
S. D. HALLIDAY,

Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the conference committee, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 44.

NOES 50.

Those who voted in the affirmative, were

ALLEN	CLANCY	J. HAYES	MAPES	SEWELL
ALVORD	CLAPP	HOLBROOK	MCDONOUGH	SHANLEY
ASTOR	J. CLARK	HOYT	MOOERS	SHEARD
BERGEN	CROWLEY	HULME	NIVEN	SHELDON
BERRIGAN	CURRAN	HURD	PARKER	STORY
BERRY	DOUGLASS	KELLOGG	PEEK	STRACK
BOUCK	GALVIN	KERN	POOL	WILBOR
BRUNDAGE	GILBERT	KING	SAWYER	WILLIS
CHASE	HALLIDAY	LOWING	SEEBACHER	

Those who voted in the negative, were

BATHE	DALY	HENRY	MEYENBERG	ROWLAND
BEARD	FITZGERALD	HEPBURN	NELSON	SKINNER
BROOKS	FLOYD-JONES	HOLAHAN	NOYES	SUTHERLAND

BROWNING	FLYNN	KEEGAN	PALMER	E. TAYLOR
CHAPPELL	FOSTER	LANGNER	PATTENGILL	TERRY
J. M. CLARK	FRANK	LOVELAND	PATTERSON	THAIN
CONVERSE	GRADY	MATTISON	CICERO C. PECK	THOMSON
CORMACK	GRIGGS	MEAD	DEWITT C. PECK	WARING
COSAD	HAMILTON	MEKEEL	PIPER	WILLERS
CRAWFORD	HAVENS	MOLLER	PRESCOTT	WILLIAMS

Mr. Alvord moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mead moved that the committee of the whole be discharged from the further consideration of the Senate bill entitled "An act to legalize the official acts of the First Congregational Society of the city of Schenectady, and the official acts of the trustees of the said society," and that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 77.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CORMACK	I. I. HAYES	MOLLER	SEEBACHER
ALLEN	COSAD	HOLAHAN	MOOERS	SEWELL
ANDREWS	CURRAN	HOLBROOK	NIVEN	SHEARD
BEARD	DALY	HOYT	NOYES	SHELDON
BERRIGAN	DOUGLASS	HULME	PALMER	SKINNER
BERRY	FISH	HURD	PARKER	STRACK
BOUCK	FITZGERALD	KEEGAN	PATTENGILL	SUTHERLAND
BROOKS	FLOYD-JONES	KELLOGG	PATTERSON	E. TAYLOR
BROWNING	FOSTER	KING	DEWITT C. PECK	TERRY
BRUNDAGE	FRANK	LANGNER	PEEK	THAIN
CHAPPELL	GALVIN	LOVELAND	PIPER	THOMSON
CHASE	GILBERT	LOWING	POOL	WILLERS
CLANCY	GRADY	MEAD	PRESCOTT	WILLIAMS
CLAPP	GRIGGS	MEKEEL	ROWLAND	WILLIS
J. M. CLARK	HAMILTON	S. V. R. MILLER	SAWYER	WINCH
CONVERSE	HAVENS			

Those who voted in the negative, were

ALVORD	NELSON
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Skinner moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to authorize the water commissioners of the city of Watertown to issue bonds for the purpose of raising funds for the construction of new distributing and pumping mains," and that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. CLARK	GRADY	LOWING	ROWLAND
ALLEN	J. M. CLARK	GRIGGS	MAPES	SAWYER
ALVORD	CONVERSE	HAMILTON	MATTISON	SEEBACHER
ANDREWS	CORMACK	HAVENS	MOLLER	SEWELL
BATHE	COSAD	HEPBURN	MOOERS	SHEARD
BEARD	CROWLEY	HOLAHAN	NELSON	SHELDON
BERRIGAN	CURRAN	HOLBROOK	NIVEN	SKINNER
BERRY	DALY	HOYT	NOYES	STRACK
BOUCK	DOUGLASS	HULME	PALMER	SUTHERLAND
BROOKS	FITZGERALD	HURD	PATTENGILL	E. TAYLOR
BROWNING	FLOYD-JONES	KEEGAN	PATTERSON	THOMSON
BRUNDAGE	FLYNN	KELLOGG	CICERO C. PECK	WARING
CHAPPELL	FOSTER	KERN	DEWITT C. PECK	WILLIAMS
CHASE	FRANK	KING	PEEK	WILLIS
CLANCY	GALVIN	LANGNER	PIPER	WINCH
CLAPP	GILBERT	LOVELAND	POOL	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Graham offered, for the consideration of the House, resolutions in the words following:

Resolved (if the Senate concur), That one thousand extra copies of the Ninety-first Annual Report of the Regents of the University, with the accompanying documents, be printed and bound in the usual form for the use of the said Regents.

Resolved (if the Senate concur), That five hundred extra copies of the Proceedings of the University Convocation, held in July, 1877, be printed and bound in the usual form for the use of the said Regents.

Ordered, That said resolutions be referred to the committee on public printing.

Mr. Strack offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 37, entitled "An act to change the name of the American Encaustic Tiling Company," and that the said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Chappell moved that the committee of the whole be discharged from the further consideration of Senate bill entitled "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" and that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	GRIGGS	MOOERS	SEEBACHER
ALLEN	J. CLARK	HAMILTON	NIVEN	SHEARD
ALVORD	J. M. CLARK	HAVENS	NOYES	SHELDON
ANDREWS	CONVERSE	HOLAHAN	PALMER	SKINNER
BAKER	CORMACK	HOLBROOK	PARKER	STORY
BATHE	COSAD	HOYT	PATTENGILL	STRACK
BEARD	CRAWFORD	HULME	PATTERSON	SUTHERLAND
BERRIGAN	CROWLEY	HURD	CICERO C. PECK	E. TAYLOR
BERRY	DALY	KELLOGG	DEWITT C. PECK	TERRY
BOUCK	FITZGERALD	KERN	PEEK	THAIN
BROOKS	FLOYD-JONES	KING	PIPER	THOMSON
BROWNING	FLYNN	LANGNER	POOL	WARING
BRUNDAGE	FOSTER	LOWING	PRESCOTT	WILLERS
BURNS	GALVIN	MAPES	ROWLAND	WILLIAMS
CHAPPELL	GILBERT	MEKERL	SAWYER	WILLIS
CHASE	GRADY			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Hoyt moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to provide for the payment of bonds heretofore issued by the village of Middletown, in the county of Orange, and to create a sinking fund therefor," and that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HOYT	PALMER	SHELDON
ALLEN	CORMACK	HULME	PARKER	SKINNER
ALVORD	COSAD	KEEGAN	PATTENGILL	STORY
ANDREWS	CRAWFORD	KELLOGG	PATTERSON	STRACK
BAKER	CROWLEY	KERN	CICERO C. PECK	SUTHERLAND
BATHE	FITZGERALD	KING	DEWITT C. PECK	E. TAYLOR
BEARD	FLOYD-JONES	LOVELAND	PEEK	TERRY
BERGEN	FLYNN	LOWING	PIPER	THAIN
BERRIGAN	FOSTER	MATTISON	POOL	THOMSON
BERRY	GILBERT	MCDONOUGH	PRESCOTT	WARING
BOUCK	GRADY	MEAD	ROWLAND	WILBOR
BRUNDAGE	GRIGGS	S. V. R. MILLER	SAWYER	WILLERS
CHAPPELL	HAMILTON	MOLLER	SEEBACHER	WILLIAMS
CHASE	HAVENS	MOOERS	SEWELL	WILLIS
CLAPP	HOLAHAN	NIVEN	SHANLEY	WINCH
J. CLARK	HOLBROOK	NOYES	SHEARD	SPEAKER

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Brooks offered, for the consideration of the House, a resolution in the words following :

Resolved, That the Attorney-General be requested to inform the Assembly, at his earliest convenience, whether, under the police or other powers of the State, it is possible to pass a law regulating the speed of foreign or coastwise steamers in the harbor of New York, when navigation becomes dangerous by reason of darkness or fogs, through the compulsory use of fog whistles, electrical or other lights, or in any other way which will tend to make the lives of passengers more secure.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord in the chair.

This being the day for the consideration of general orders,

The House then resolved itself into a committee of the whole on the bills entitled as follows :

“An act to authorize the formation of town insurance companies.”

“An act to authorize the religious society in the city of New York known as the Congregation Rodef Scholem to buy, hold, and dispose of land for cemetery purposes.”

“An act to change the commissioners’ map of Long Island City with respect to the intersection of Vernon avenue with Borden and Jackson avenues, respectively.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Mekeel, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Mekeel, from the same committee, also reported in favor of the passage of the two last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

On motion of Mr. Kern, and at 2 o’clock and 7 minutes, the House adjourned.

WEDNESDAY, MARCH 6, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Smart.

The journal of yesterday was read and approved.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

“An act establishing a ferry from Foot’s Point, in the town of Crown Point, county of Essex, across Lake Champlain to Port Franklin, so called, in the town of Bridport, State of Vermont.”

“An act in relation to noxious weeds and brush in public highways.”

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled “An act to amend chapter 129 of the Laws of 1872, entitled ‘An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy,’ passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy,” with a message that they had passed the same, with the following amendment :

Page 4, engrossed bill, line 15, after the words “were paid,” insert the words “with a statement of the district for which said taxes were received.”

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83.

NOES 00.

Those who voted in the affirmative, were ,

ABBOTT	J. M CLARK	HEPBURN	NELSON	SHANLEY
ALVORD	CONVERSE	HOLBROOK	NIVEN	SHEARD
ANDREWS	CORMACK	HURD	NOYES	SHELDON ¹
BAKER	CRANDALL	JONES	PALMER	SKINNER
BATHE	CROWLEY	KELLOGG	PATTENGILL	STORY
BEARD	DALY	KERN	CICERO C. PECK	STRACK
BERRIGAN	DAY	KING	PEEK	THAIN
BERRY	FITZGERALD	LANGNER	PIPER	THOMSON
BOUCK	FLOYD-JONES	LOVELAND	POOL	VALENTINE
BROOKS	FOSTER	LOWING	PRESCOTT	WARING
BRUNDAGE	GALVIN	MATTISON	PROPER	WEMPLE
BURNS	GILBERT	MCDONOUGH	ROBERTS	WILBOR
CHAPPELL	GRADY	MEKEEL	ROWLAND	WILLERS
CHASE	GRAHAM	MOLLER	SAWYER	WILLIAMS
CLANCY	GRIGGS	MOOERS	SEARING	WILLIS
CLAPP	HAVENS	MEYENBORG	SEWELL	WINCH
J. CLARK	J. HAYES	NEILSON		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate sent for concurrence the bills entitled as follows :

“An act for the protection of dairymen and dealers in milk, and to prevent deception in the sale of milk,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

“An act to confirm the official acts of Samuel H. Case, John M. Watkins and William W. Snow, commissioners of excise in and for the town of Oneonta, in the county of Otsego,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

“An act to amend section 8 and to further amend section 10 of chapter 739 of the Laws of 1857, entitled ‘An act to authorize the formation of town insurance companies,’” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

“An act to authorize the water commissioners of the city of Watertown to issue bonds for the purpose of raising funds for the construction of new distributing and pumping mains, which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Skinner, said bill was laid on the table.

“An act to amend section 21 of article 3, title 3, chapter 6, part 1 of the Revised Statutes,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

“An act to extend the time for the completion of the railroad of the Black River and St. Lawrence Railway Company,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Alvord in the chair.

Mr. Andrews introduced a bill entitled “An act to confirm the election

of village trustees of the village of Whitney's Point, and to provide for and determine by lot their respective terms of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Day introduced a bill entitled "An act to provide for the payment of local assessments made and levied upon the property of the State of New York, situate in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Bathe introduced a bill entitled "An act to repeal chapter 230 of the Laws of 1868, entitled 'An act to incorporate the New York City Underground Railroad Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Astor introduced a bill entitled "An act to legalize the execution of a certain conveyance by the Kips Bay Methodist Episcopal Church of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Loveland introduced a bill entitled "An act to amend chapter 74 of the Laws of 1877, entitled 'An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of the State of New York,' and to provide for the incorporation of subordinate lodges of such order," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Graham introduced a bill entitled "An act to extend the time of the corporate existence of the Middletown and Wurtzboro Turnpike Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Chase introduced a bill entitled "An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Pattengill introduced a bill entitled "An act changing the name of the Eagle Fire Engine and Hose Company No. 1, of Butternuts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on villages.

Mr. Hepburn introduced a bill entitled "An act in relation to the Ogdensburgh and Lake Champlain Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Rowland introduced a bill entitled "An act to legalize the proceedings of the electors of the town of Fowler, St. Lawrence county, in annual and special town meetings assembled on the 12th and 26th days of February, 1878, in relation to the raising of money for the improvement of certain roads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Sawyer introduced a bill entitled "An act to amend an act entitled 'An act to raise and consolidate the general acts relating to public instruction, passed May 2, 1864,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Searing introduced a bill entitled "An act to authorize George Boss to establish and maintain a ferry on the Rondout creek, from the city of Kingston, in the county of Ulster, to the village of Eddyville, in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Also, a bill entitled "An act to secure the payment of laborers, mechanics, merchants, traders, and persons furnishing materials towards the performing of any public work in the cities of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Searing, and by unanimous consent, said bill was ordered printed.

Mr. Abbott introduced a bill entitled "An act to amend section 8 of chapter 608 of the Laws of 1871, entitled 'An act to amend an act to provide for the incorporation of fire insurance companies,' passed June 25, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Moller introduced a bill entitled "An act to limit and define the powers of the supervisor, town clerk, commissioners of highways, and justices of the peace of the town of Pelham, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Purdy introduced a bill entitled "An act to amend an act entitled 'An act to re-enact and amend an act entitled 'An act to incorporate the city of Yonkers,' passed June 1, 1872, passed February 28, 1873,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to provide a supply of wholesome water to the Twenty-fourth ward of the city of New York, and to enable the mayor, aldermen and commonalty of the city of New York to obtain the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act in relation to the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gilbert introduced a bill entitled "An act to amend chapter 268 of the Laws of 1875, entitled 'An act to incorporate the Western Railroad Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. J. M. Clark introduced a bill entitled "An act to amend article 5 of title 1, chapter 16 of part 1 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Prescott introduced a bill entitled "An act to create a board of charities in the several counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Flynn introduced a bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Andrews introduced a bill entitled "An act to amend the charter of the city of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gilbert introduced a bill entitled "An act relating to the fees, salaries, and other compensation of officers connected with the administration of justice in civil proceedings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

(Accompanied with documents.)

Mr. Story introduced a bill entitled "An act to authorize a change in the location of the Albany and Greenbush bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Prescott, Int. No. 108, entitled "An act in relation to the compensation of the committees of the estates of idiots, lunatics, persons of unsound mind and habitual drunkards," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. J. M. Clark, Int. No. 355, entitled "An act defining vagrancy and providing for the arrest and punishment of vagrants in the county of Yates," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Payne, Int. No. 55, entitled "An act to amend section 1, article 1, title 1, chapter 9 of part 3 of the Revised Statutes, entitled 'of the writ of habeas corpus and certiorari in certain cases,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Piper moved that the committee of the whole be discharged from the further consideration of said bill, and that the same do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 75.

NOES 2.

Those who voted in the affirmative, were

ABBOTT
ALLEN

J. CLARK
J. M. CLARK

HEPBURN
HOLBROOK

MOOERS
NIVEN

SEWELL
SHEARD

ALVORD	CONVERSE	HURD	NOYES	STRACK
ANDREWS	CORMACK	JONES	PARKER	SUTHERLAND
BAKER	COSAD	KEEGAN	PATTENGILL	E. TAYLOR
BATHE	CROWLEY	KELLOGG	PATTERSON	J. T. TAYLOR
BEARD	DALY	KERN	CICERO C. PECK	THAIN
BERRIGAN	FITZGERALD	KING	DE WITT C. PECK	TOWNSLEY
BERRY	FLOYD-JONES	LANGNER	PEEK	VALENTINE
BOUCK	FLYNN	LOVELAND	PIPER	WARING
BROOKS	FOSTER	LOWING	POOL	WEMPLE
CHAPPELL	GALVIN	MATTISON	PRESCOTT	WILBOR
CHASE	GILBERT	J. H. MILLER	ROBERTS	WILLIAMS
CLANCY	GRADY	S. V. R. MILLER	ROWLAND	WILLIS
CLAPP	HAVENS	MOLLER	SAWYER	WINCH

Those who voted in the negative, were

SKINNER

THOMSON

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Pomeroy, Int. No. 59, entitled "An act requiring justices of the peace to give bonds," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Kern, and by unanimous consent, said bill was substituted for Assembly bill on the same subject now on general orders.

By unanimous consent,

Mr. Hepburn introduced a bill entitled "An act in relation to granting licenses to sell intoxicating drinks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Messrs. Parker, Williams and Piper presented petitions of members of the Ancient Order of United Workmen, in favor of an amendment to their charter; which were read and referred to the committee on general laws.

Mr. Alvord presented a remonstrance of citizens of Onondaga county, against the amendment to the savings bank bill; which was read and referred to the committee on banks.

Mr. Berry presented a petition of citizens of Norwich, for the passage of a prohibitory law; which was read and referred to the committee on internal affairs.

Messrs. Meyenborg and Henry presented petitions of citizens of Brooklyn, in favor of a reduction of ferriage; which were read and referred to the committee on commerce and navigation.

Mr. Noyes presented a petition of citizens of Cayuga county, relating to the assessment of property; which was read and referred to the committee on ways and means.

Mr. Brundage presented a petition of citizens of Steuben county, for a board of railroad commissioners; which was read and referred to the committee on railroads.

Mr. Day presented a petition of Hon. L. L. Lewis and others, citizens of Buffalo, for a charter for the Buffalo Homœopathic College; which was read and referred to the committee on public health.

Mr. Moller presented a petition of citizens of Westchester county, in favor of the passage of a bill in relation to commutation and other fares on railroads incorporated in other States, but owning railroads in this State; which was read and referred to the committee on railroads.

Messrs. Fitzgerald, E. Taylor, Brooks and Proper, presented petitions in favor of a modification of the excise laws ; which were read and referred to the committee on internal affairs.

By unanimous consent,

Mr. Brooks offered, for the consideration of the House, resolutions in the words following:

Concurrent resolutions proposing an amendment to article 7 of the Constitution.

Resolved (if the Senate concur), That section 7 of article 7 of the Constitution be amended so as to read as follows :

“§ 7. The salt springs and lands contiguous thereto and connected therewith belonging to this State may be sold or otherwise disposed of, with the consent of the Legislature and under the direction of the Commissioners of the Land Office. The moneys arising from such sale shall be invested or applied, as the Legislature shall direct, for the use and benefit of the State.”

Resolved (if the Senate concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators ; and that, in conformity to section 1 of article 13 of the Constitution, it be published for three months previous to the time of such election.

Ordered, That said resolutions be laid upon the table.

Mr. Fitzgerald offered, for the consideration of the House, a preamble and resolution in the words following :

Whereas, By an act entitled “An act authorizing the construction of a bridge across the Hudson river at Albany, passed April 9, 1856,” a body corporate was formed by the name of “The Hudson River Bridge Company,” for the purpose of erecting and maintaining a bridge for the purposes of railroad travel and transportation across the Hudson river at Albany ; and,

Whereas, By section 12 of said act the directors of said company were authorized to establish, from time to time, tolls and charges subject to the approval of the Canal Board ; provided, however, that such tolls and charges should be so regulated that, they should not yield a net annual revenue to exceed ten per cent per annum upon the amount of the capital stock ; and,

Whereas, It appears that the said company has not reported the amount of its net annual revenue since the year 1866, and that since said year no schedule of tolls and charges have been submitted by said company to the Canal Board for its approval, and that the tolls and charges have not been within said period of time regulated in proportion to the revenue as prescribed by law ; and,

Whereas, By resolution of this House, passed January 24, 1878, the said company was required to report the amount of its annual revenue to this House within ten days, and the company not having so reported within the ten days, and an extension of ten days further time to report having been granted by motion of the House on the 7th day of February, 1878 ; and,

Whereas, The time so extended having expired, and the company having neglected and failed to comply with said resolution ; therefore, be it

Resolved, That the Attorney-General be and he is hereby instructed to take immediate steps by *scire facias*, or other legal proceeding that to him may seem proper in the premises, and ascertain thereby whether or

not the said company has been guilty of misuser or abuse of its corporate privileges and franchises ; and if so, to effect the forfeiture of its charter.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Sheard called from the table resolutions, previously offered by him, in the words following :

Whereas, We know that the agitation in Congress in relation to the modification of our present tariff laws, is injurious to our business enterprises, producing a state of uncertainty which may, in itself, prove destructive to that slowly returning confidence so desirable and requisite in building up the waste places of our manufacturing and mechanical interests, and enabling the large amount of capital, now otherwise idle, to give labor to the many thousands of workingmen now out of employment, whose families are now hungering for the want of the same ; therefore,

Resolved (if the Senate concur), That it is the belief of the people of the State of New York, in Senate and Assembly represented, that it is unwise, unpatriotic and detrimental to the best interests of the country generally, to interfere, at this time with our tariff laws.

Resolved (if the Senate concur), That we condemn, both in principle and spirit, what is known as the "Wood Tariff bill," now pending before Congress.

Resolved (if the Senate concur), That a copy of these resolutions be sent to our senators and representatives in Congress.

Mr. Brooks moved to lay said resolutions on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cormack offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee on canals be and is hereby instructed to consider and report to this House, the best and least expensive method of procuring a tabulated statement showing the sums of moneys paid by the several counties in this State, by taxation, for the construction and maintenance of its several canals.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Grady called from the table a resolution, previously offered by him, in the words following :

Resolved (if the Senate concur), That the Senators and Representatives of the State of New York in the Congress of the United States, be and they are hereby earnestly requested to vote for such bill as has been or may be presented to them, providing for the payment of a pension to the veterans of the Mexican war.

Mr. Hepburn moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Story offered, for the consideration of the House, a preamble and resolution in the words following :

Whereas, On the twenty-third day of January last the following preamble and resolutions were adopted by this House :

"*Whereas*, On the 9th day of April, 1856, an act was passed authorizing the construction of a bridge across the Hudson river at Albany, under the name of the Hudson River Bridge Company ; and,

"Whereas, It is provided by section 12 of this act, that after the said bridge shall have been completed, such tolls and charges may be collected for crossing the same on foot and with wagons, cars or carriages of any kind, and with horses or other animals, or otherwise, as the directors may from time to time establish, subject to the approval of the Canal Board; provided, however, that such tolls shall be so regulated that they shall not yield a net annual revenue to exceed ten per cent upon the amount of such capital stock; and,

"Whereas, It appears that the said Hudson River Bridge Company has not submitted to the Canal Board their sheet of toll rates since the year 1866, therefore,

"Resolved, That the said Hudson River Bridge Company, at Albany, be and is hereby directed to report to this Legislature within ten days, the amount of tolls received by said bridge company since their last report to the Canal Board, which statement to be verified under oath by the president and secretary of said company,"

And the time in which a report should be made was extended ten days, and said Hudson River Bridge Company having failed to present a report, therefore,

Resolved, That the committee on roads and bridges of this Assembly, are hereby authorized and required to send for persons, books and papers, and examine the parties under oath and report to this House within ten days as to all receipts and disbursements relating to the bridges of said bridge company.

Debate arising thereon,

Ordered, That said resolutions be laid upon the table.

Mr. Berry offered, for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That this Legislature will adjourn *sine die* on Friday, the 19th day of April, 1878, at 12, m., of that day.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

The Senate returned the bill entitled "An act to repeal chapter 556 of the Laws of 1871, entitled 'An act relating to Queens County Railway Company,' and to repeal the first section of chapter 633 of the Laws of 1872, entitled 'An act relating to Queens County Railway Company,'" with a message that they had passed the same, with the following amendments:

Strike out all of section 2, and insert in lieu thereof the following:

"§ 2. Chapter 633 of the Laws of 1872, entitled 'An act relating to the Queens County Railway, passed May 10, 1872,' is hereby repealed."

And the title amended so as to read as follows:

"An act to repeal chapter 556 of the Laws of 1871, and chapter 633 of the Laws of 1872, both relative to the Queens County Railway Company."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82.

NOES 7.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOYT	NELSON	SHEARD
ALLEN	CRANDALL	HURD	NOYES	SHELDON
ALVORD	CRAWFORD	JONES	PALMER	SKINNER

ANDREWS	CROWLEY	KELLOGG	PATTENGILL	STRACK
BAKER	DALY	KERN	CICERO C. PECK	SUTHERLAND
BATHE	DAY	LANGNER	DEWITT C. PECK	E. TAYLOR
BEARD	DEYOE	LOVELAND	PEEK	J. T. TAYLOR
BERRY	FLOYD-JONES	LOWING	PIPER	TERRY
BOUCK	FLYNN	MATTISON	POOL	THAIN
BROOKS	FOSTER	MEAD	PURDY	THOMSON
BROWNING	FRANK	MEKEEL	ROBERTS	VALENTINE
CHASE	GRIGGS	J. H. MILLER	ROWLAND	WARING
CLANCY	HAVENS	S. V. R. MILLER	SAWYER	WILBOR
J. CLARK	HENRY	MOLLER	SEEBACHER	WILLERS
J. M. CLARK	HEPBURN	MOOERS	SEWELL	WILLIS
CONVERSE	HOLAHAN	MEYENBORG	SHANLEY	WINCH
CORMACK	HOLBROOK			

Those who voted in the negative, were

BERRIGAN	GALVIN	KEEGAN	NIVEN	PATTERSON
CHAPPELL	J. HAYES			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the city of Newburgh,' passed April 22, 1865, and the several acts amendatory thereof."

"An act to authorize the religious society in the city of New York, known as the Congregation Rodef Scholem, to buy, hold and dispose of land for cemetery purposes."

The Senate bill entitled "An act to change the name of the American Eucaustic Tiling Company in the certificate for the incorporation of said company and the license issued thereunder," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 77.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HEPBURN	NEILSON	SEWELL
ALLEN	CRAWFORD	HOLAHAN	NELSON	SHANLEY
ALVORD	CURRAN	HOYT	NIVEN	SHELDON
ANDREWS	DALY	JONES	NOYES	SKINNER
BATHE	DAY	KEEGAN	PARKER	STRACK
BEARD	FITZGERALD	KELLOGG	PATTERSON	SUTHERLAND
BERRY	FLOYD-JONES	KERN	CICERO C. PECK	E. TAYLOR
BOUCK	FLYNN	LANGNER	PEEK	TERRY
BROOKS	FOSTER	LOVELAND	PIPER	THAIN
BROWNING	FRANK	LOWING	POOL	THOMSON
BRUNDGAE	GALVIN	MATTISON	PRESCOTT	VALENTINE
CHAPPELL	GILBERT	MEKEEL	PURDY	WARING
CHASE	GRIGGS	J. H. MILLER	ROBERTS	WILBOR
CLAPP	HAMILTON	S. V. R. MILLER	ROWLAND	WILLIAMS
J. M. CLARK	HAVENS	MOOERS	SEEBACHER	WILLIS
CONVERSE	HENRY			

For the negative,

WILLERS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend an act entitled 'An act to incorporate the city of Newburgh,' passed April 22, 1865, and the several acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ALLEN	COSAD	HOYT	PATTERSON	SHEARD
ALVORD	CRANDALL	JONES	CICERO C. PECK	SHELDON
ANDREWS	CRAWFORD	KEEGAN	DEWITT C. PECK	SKINNER
BATHE	CROWLEY	KELLOGG	PEEK	SUTHERLAND
BEARD	DAY	KERN	PIPER	E. TAYLOR
BERRIGAN	DEYOE	LOVELAND	POOL	J. T. TAYLOR
BERRY	FITZGERALD	MATTISON	PRESCOTT	TERRY
BOUCK	FLOYD-JONES	S. V. R. MILLER	PURDY	THAIN
BROOKS	FOSTER	MOLLER	REYNOLDS	THOMSON
BROWNING	GALVIN	NEILSON	ROBERTS	VALENTINE
CHAPPELL	GRADY	NELSON	ROWLAND	WILBOR
CHASE	GRAHAM	NIVEN	SAWYER	WILLERS
CLANCY	GRIGGS	NOYES	SEARING	WILLIAMS
CLAPP	HAMILTON	PARKER	SEEBACHER	WILLIS
CONVERSE	HENRY	PATTENGILL	SEWELL	WINCH
CORMACK	HOLAHAN			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the religious society in the city of New York known as the Congregation Rodef Scholem to buy, hold, and dispose of land for cemetery purposes," having been announced for a third reading,

Mr. Keegan moved that said bill be recommitted to the committee on charitable and religious societies, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 73.

NOES 18.

Those who voted in the affirmative, were

ALLEN	J. M. CLARK	HENRY	MOOERS	SEEBACHER
ALVORD	CONVERSE	HOLAHAN	MEYENBORG	SHANLEY
ANDREWS	CRANDALL	HOLBROOK	NIVEN	SHELDON
BAKER	CRAWFORD	JONES	NOYES	STORY
BEARD	CROWLEY	KELLOGG	PALMER	STRACK
BERRIGAN	CURRAN	KERN	PARKER	SUTHERLAND
BERRY	DALY	KING	PATTENGILL	E. TAYLOR
BOUCK	DAY	LANGNER	PATTERSON	THAIN
BROWNING	FITZGERALD	LOVELAND	PIPER	WARING
BRUNDAGE	FOSTER	LOWING	POOL	WEMPLE
CHAPPELL	FRANK	MATTISON	PRESCOTT	WILBOR
CHASE	GALVIN	MCDONOUGH	PURDY	WILLIAMS
CLANCY	GRADY	MEKEEL	SAWYER	WILLIS
CLAPP	GRAHAM	S. V. R. MILLER	SEARING	WINCH
J. CLARK	GRIGGS	MOLLER		

Those who voted in the negative, were

CORMACK	KEEGAN	REYNOLDS	SKINNER	THOMSON
COSAD	NELSON	ROBERTS	SLITER	VALENTINE
FLOYD-JONES	CICERO C. PECK	ROWLAND	TERRY	WILLERS
HOYT	DEWITT C. PECK	SHEARD		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Brundage introduced a bill entitled "An act to amend chapter 691 of the Laws of 1865, entitled 'An act to amend an act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, and to amend an act entitled 'An act to amend an act entitled 'An act for the incorporation of companies to navigate the lakes and rivers,' passed April 15, 1854, passed April 15, 1861,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Purdy introduced a bill entitled "An act creating the office of clerk of the Court of Special Sessions in the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Day introduced a bill entitled "An act to authorize the board of supervisors of the county of Erie to convey to the Young Men's Association of the city of Buffalo, certain real estate in said city, and to enable said association to raise money for the erection of buildings, and the reconstruction of its present buildings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Waring introduced a bill entitled "An act to amend an act entitled 'An act to confirm, reduce and levy a certain assessment for improving part of Union street, in the city of Brooklyn,' passed May 25, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Indefinite leave of absence was granted to Mr. Burns.

Mr. Speaker announced order of business general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to amend chapter 530 of the Laws of 1865, entitled 'An act to incorporate the Legal Protective Society of the town of Madison, Madison county.'"

Senate, "An act to amend chapter 438 of the Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing.'"

"An act to amend subdivision 4 of section 1 of chapter 257 of the Laws of 1876, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Allen, from said committee, reported in favor of the passage of the first two named bills which report was agreed to, and the same ordered to a third reading.

Mr. Allen, from the same committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered engrossed for a third reading.

By unanimous consent,

Mr. Mead introduced a bill entitled "An act to incorporate the Scotia and Schenectady Narrow-gauge Horse Railway Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to provide for the care, government, protection, and improvement of the public park known as Ross park, in the city of Binghamton."

"An act to enable the Home for Incurables to take and hold real estate to the amount of two hundred and fifty thousand dollars in value."

"An act to amend chapter 249 of the Laws of 1857, entitled 'An act to amend an act entitled An act to incorporate the American Female Guardian Society, passed April 6, 1849,' passed April 3, 1857."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Kellogg, from said committee, reported in favor of the passage of the first named bill, with the title amended so as to read "An act to create a board of park commissioners, and to provide for the care, government, protection, and improvement of the public park known as Ross park, in the city of Binghamton," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Kellogg, from the same committee, also reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Kellogg, from the same committee, also reported in favor of the passage of the last named bill, with amendments, and the title amended by striking out the words "passed April 6, 1849, passed April 3, 1857," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Grady moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to the military record fund and to provide for the refunding of moneys contributed by towns and cities of this State and by individuals, for the erection of a hall of military record."

"An act to amend section 1 of chapter 73 of the Laws of 1875, entitled 'An act to establish specie payments on all contracts or obligations payable in this State in dollars, and made after January 1, 1879.'"

Senate, "An act to amend chapter 820 of the Laws of 1873, entitled 'An act to amend an act entitled An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Berry, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Berry, from the same committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Berry, from the same committee, also reported in favor of the pas-

sage of the last named bill, with amendments, and the title amended so as to read "An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors, and the acts amendatory thereof,'" which report was agreed to, and said bill ordered to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend title 4 of chapter 4 of part 2 of the Revised Statutes, relating to accumulations of personal property, and of expectant estates in such property."

Senate, "An act to amend chapter 365 of the Laws of 1877, entitled 'An act authorizing and empowering the common council of the city of Rochester to construct a turn-table or swing-bridge over the Erie canal, in Allen street, in the city of Rochester.'"

"An act repealing certain acts and parts of acts."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Thain, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Thain, from the same committee, also reported in favor of the passage of the second named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Thain, from the same committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act to consolidate and amend the several act relating to the village of Watkins, and to enlarge the power of the corporation of said village,' passed April 3, 1861."

"An act to provide for the election of supervisors in the several towns of Erie county biennially."

"An act in relation to coroners' fees and post-mortem examinations in Monroe county."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Mooers, from said committee, reported in favor of the passage of the first named bill, and the title amended by striking out the words "passed April 3, 1861," which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Mooers, from the same committee, also reported in favor of the passage of the second named bill, and the title amended by striking out the word "election," and inserting in lieu thereof the words "changing the term of office;" also striking out the word "biennially," which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Mooers, from the same committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered engrossed for a third reading.

On motion of Mr. Clapp, and at 2 o'clock and 20 minutes, the House adjourned.

THURSDAY, MARCH 7, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Holmes.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Brooks offered, for the consideration of the House, a preamble and resolution in the words following :

Whereas, in the issue of the New York *Times* of the sixth instant, it is asserted :

1. That while the debt of the city of New York appeared to be reduced, it was, in reality, being steadily increased.

2. That the receipts from taxes in the city fall short of the expenditure.

3. That the treasury of the city was empty, while revenue bonds were issued which must, in the end, become part of the debt.

4. That the board of apportionment of this city concealed its extravagances by the "transfer" system, viz.: that while it ostensibly "appropriated" only certain published amounts, it increased these appropriations where political favorites were concerned by the "transfer" to their credit of certain mythical "unexpended balances" of other funds, dating as far back as 1875.

5. That these balances were, in fact, represented only by book balances; not by money in the treasury, for there was none; and that bonds being issued to cover the transactions, the public debt was steadily on the increase; and,

Whereas, It is proper that all facts bearing upon these assertions should be, without delay, communicated to the Assembly, to the end that such action may be taken in reference thereto as may be required; therefore,

Resolved, That the comptroller of said city be and he is hereby required, within five days from this date, to transmit to the Assembly :

1. An abstract of the debt of said city for each of the last five years.

2. An abstract of the receipts from taxes for each of the last five years, and how far, if in any particular year, the expenditures fell short of the receipts; and if so, explaining to what is this attributable, and how it can be remedied.

3. The balances in the treasury of the city at the close of 1877, and at the close of each of the months of January and February, 1878, and on the 6th day of March, 1878.

4. The amount of revenue bonds of the city outstanding at the close of the years 1876 and 1877, the amount of revenue bonds since issued, and the amount of such bonds paid during the year 1878.

5. A statement showing the amounts transferred by the board of estimate and apportionment during each of the five years preceding the year 1878 (and of such transfers made during 1878), the particular purposes for which such transfers were made, and the claims paid and to whom paid therefrom; and,

6. Whether any bonds of the city were issued to meet or provide for such transfers; and if so, the amount of the same, and those still outstanding or unpaid.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Brooks, and by unanimous consent, said resolution was ordered printed.

(See Doc. No. 77.)

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows :

"An act to amend chapter 129 of the Laws of 1872, entitled 'An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy,' passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate sent for concurrence the bills entitled as follows :

"An act to enable the president and commissioners of the department of city works of the city of Brooklyn, to purchase all articles necessary to the furnishing of the new public building therein, in such manner as is for the best interest of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to incorporate The American Jersey Cattle Club, for improving the breeding of Jersey cattle in the United States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to amend chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights and other property connected therewith,'" which was read the first time, and by unanimous consent was also read the second time, and referred the committee on canals.

"An act in relation to the local judiciary of Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to repeal section 830 of chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate returned the bill entitled "An act to amend the statutes in reference to the collection of taxes in the counties of Livingston and Oswego," with a message that they had passed the same, with the following amendments :

Section 1, line 2, after the word "Livingston," insert the word "Montgomery."

Section 2, line 2, after the word "Livingston," insert the word "Montgomery."

Section 5, line 3, strike out the word "twelve," and insert the word "ten."

Section 6, strike out all after the word "weeks," in line 4, down to and including the word "counties," in line 5, and insert the words "in the two public newspapers designated by the board of supervisors of said counties for the publication of the Session Laws."

Same section, line 13, after the word "Oswego," insert the words "and at the court house, in the village of Fonda, in the county of Montgomery."

Section 8, line 9, strike out the word "twelve," and insert the word "ten."

Section 12, line 24, after the word "Livingston," insert the word "Montgomery."

Same section, line 30, after the word "Livingston," insert the word "Montgomery."

Section 13, line 8, strike out the word "twelve," and insert the word "ten."

Section 14, line 3, after the word "Livingston," insert the word "Montgomery."

Amend the title by inserting, after the word "Livingston," the word "Montgomery."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOYT	NIVEN	SKINNER
ALLEN	CRAWFORD	HULME	NORTH	STRACK
ALVORD	CROWLEY	HURD	NOYES	SUTHERLAND
ASTOR	DALY	JONES	PARKER	E. TAYLOR
BAKER	DEYOE	KELLOGG	PATTENGILL	J. T. TAYLOR
BEARD	FISH	KERN	CICERO C. PECK	TERRY
BERRY	FITZGERALD	KING	PEEK	THAIN
BOUCK	FLOYD-JONES	LANGNER	POOL	THOMSON
BROOKS	FLYNN	LOVELAND	PROPER	TOWNSLEY
BROWNING	FOSTER	LOWING	PURDY	VALENTINE
BRUNDAGE	GALVIN	MATTISON	REYNOLDS	WADSWORTH
BURNS	GILBERT	J. H. MILLER	ROBERTS	WEMPLE
CASE	GRADY	S. V. R. MILLER	ROWLAND	WHEELER
CHAPPELL	GRIGGS	MOLLER	SAWYER	WILBOR
CHASE	HALLIDAY	MOOERS	SEARING	WILLERS
CLAPP	HAVENS	MEYENBORG	SHANLEY	WILLIAMS
J. M. CLARK	HOBBIE	NEILSON	SHELDON	WILLIS
CONVERSE	HOLBROOK	NELSON		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

On motion of Mr. Peek, the privileges of the floor were granted to the Hon. Mortimer Wade.

By unanimous consent,

Mr. McDonough introduced a bill entitled "An act to amend section 1016 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Case introduced a bill entitled "An act in relation to jurors to serve in the courts of record in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. D. W. C. Peck introduced a bill entitled "An act to confer on boards of supervisors further powers of local legislation, and to regulate their term of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. Brooks introduced a bill entitled "An act to repeal certain acts relative to proceedings for the drainage of swamps, marshes, and other low lands, and for draining farm lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Accompanied by petitions on the same subject.

By unanimous consent,

Mr. Day introduced a bill entitled "An act to incorporate the Homœopathic Medical College of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

By unanimous consent,

Mr. Worth introduced a bill entitled "An act to provide for the preservation of the public health in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Douglass introduced a bill entitled "An act in addition to an act entitled 'An act relating to the Union Cemetery in the town of Bushwick, county of Kings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Case, from the committee on canals, to which was referred the Senate bill introduced by Mr. Raines, Int. No. 68, entitled "An act authorizing and empowering the common council of the city of Rochester to construct, lift, hoist or swing bridges over the Erie canal at Brown street and at Smith street, in the city of Rochester," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Worth, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Brooks, Int. No. 463, entitled "An act to protect the seaside and adjacent meadows on the south shore of Staten Island, and to prevent the same from being injured or overflowed by the waters of the bay of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Worth, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Brooks, Int. No. 348, entitled "An act authorizing the Staten Island and New Jersey Suspension Bridge and Railroad Company to change its corporate name, and extending the time for the commencement of work by said corporation," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Worth, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Havens, Int. No. 292, entitled "An act to incorporate the Greenport Wharf Company," reported the same for the consideration of the House.

Mr. Worth moved to recommit said bill to the committee on commerce and navigation.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Ecclesine, Int. No. 65, entitled "An act to amend chapter 225 of the Laws of 1851, enti-

tled 'An act to incorporate the Ladies' Union Aid Society of the Methodist Episcopal Church in the city of New York,' " reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Raines, Int. No. 66, entitled "An act to amend chapter 308 of the Laws of 1854, entitled 'An act relative to the New York Baptist Union for ministerial education,' " reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Pierce, Int. No. 9, entitled "An act for the relief of the Buffalo Eye and Ear Infirmary," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Havens, Int. No. 308, entitled "An act to repeal chapter 421 of the Laws of 1874, entitled 'An act to secure to children the benefits of an elementary education,' and the several acts amendatory thereof, so far as the same relate to the towns of this State," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Searing, Int. No. 449, entitled "An act to amend an act entitled 'An act to revise and consolidate the several acts relating to public instruction,' passed May 2, 1864, as amended by an act passed April 16, 1867," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. D. C. Peck, from the committee on public education, to which was referred the Senate bill introduced by Mr. Marvin, Int. No. 51, entitled "An act to amend chapter 467 of the laws of 1865, entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Astor, from the committee on militia, to which was referred the Senate bill introduced by Mr. Harris, Int. No. 64, entitled "An act to furnish approved arms to the Albany Burgesses Corps," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Case, from the committee on game laws, to which was referred the bill introduced by Mr. Williams, Int. No. 193, entitled "An act to repeal all acts and parts of acts relating to the preservation and protection of fish in the waters of Chautauqua lake," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Parker, from the committee on the petitions of aliens, to which

was referred the bill introduced by Mr. Niven, Int. No. 134, entitled "An act to release to Jane Berry, of the town of Fallsburg, Sullivan county, New York, the right, title and interest of the people of the State of New York, in the real estate of which William Rescola died seized," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Parker, from the committee on the petitions of aliens, to which was referred the bill introduced by Mr. Day, Int. No. 276, entitled "An act to release the interest of the people of the State of New York in certain real estate to Christian Spiess," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Speaker, Int. No. 429, entitled "An act authorizing the common council of the city of New York to change the name of the Boulevard in that city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Case, Int. No. 357, entitled "An act to amend the several acts incorporating the village of Oswego Falls," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 624 of the Laws of 1874, entitled 'An act to amend the several acts incorporating the village of Oswego Falls,' passed June 9, 1874, and to amend chapter 213 of the Laws of 1866, entitled 'An act to incorporate the village of Oswego Falls,' passed March 22, 1866," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Sliter, Int. No. 384, entitled "An act to amend chapter 325 of the Laws of 1874, entitled 'An act to incorporate the village of Bath-on-the-Hudson, Rensselaer county, New York, passed May 5, 1874,' and the act amendatory thereof, being chapter 284 of the Laws of 1876, entitled 'An act to amend chapter 325 of the Laws of 1874, entitled 'An act to incorporate the village of Bath-on-the-Hudson, Rensselaer county, New York, passed May 5, 1874,' passed May 18, 1876,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Peek, Int. No. 483, entitled "An act to amend chapter 36 of the Laws of 1862, entitled 'An act to enable the electors of the town of Johnstown to vote by districts for town officers,' passed March 21, 1852," reported adversely thereto, which report was agreed to.

On motion of Mr. Alvord, and by unanimous consent, the special order for to-morrow relative to apportionment was postponed until next Wednesday morning immediately after the reading of the journal.

By unanimous consent,

Mr. Meyenborg offered, for the consideration of the House, a resolution in the words following :

Resolved, That in the consideration of the special order this day provided for, being Assembly bill 48, entitled "An act to regulate the sale of intoxicating liquors, wines, ales and beer in the city of New York," the debate for any one person be limited to ten minutes, and that no person speak more than once on the same section of said bill.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, as follows :

AYES 78.

NOES 35.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HENRY	MEYENBORG	SHELDON
ALLEN	CONVERSE	HOBBIE	PALMER	SLITER
ALVORD	CORMACK	HOLAHAN	PARKER	E. TAYLOR
ANDREWS	COSAD	HOLBROOK	PATTENGILL	J. T. TAYLOR
ASTOR	CRANDALL	HOYT	PATTERSON	THAIN
BAKER	CRAWFORD	JONES	CICERO C. PECK	TOWNSLEY
BATHE	CROWLEY	KEATOR	DEWITT C. PECK	VALENTINE
BEARD	DALY	KELLOGG	POOL	WADSWORTH
BERGEN	DAY	KING	PROPER	WEMPLE
BERRY	FISH	LANGNER	PURDY	WHEELER
BOUCK	FITZGERALD	LOVELAND	ROWLAND	WILLERS
BROWNING	FLOYD-JONES	MAPES	SAWYER	WILLIAMS
BRUNDAGE	FLYNN	MEKEEL	SEARING	WILLIS
CHAPPELL	FOSTER	J. H. MILLER	SEEBACHER	WINCH
CLANCY	HALLIDAY	S. V. R. MILLER	SHANLEY	WORTH
J. CLARK	HAMILTON	MOLLER		

Those who voted in the negative, were

CLAPP	GRADY	LOWING	NORTH	SKINNER
CURRAN	GRAHAM	MATTISON	NOYES	STORY
DEYOE	HAVENS	MCDONOUGH	PRESCOTT	SUTHERLAND
DOUGLASS	HULME	MOOERS	REYNOLDS	TERRY
FRANK	HURD	NEILSON	ROBERTS	THOMSON
GALVIN	KEEGAN	NELSON	SEWELL	WARING
GILBERT	KERN	NIVEN	SHEARD	WILBOR

By unanimous consent,

Mr. Purdy offered, for the consideration of the House, a preamble and resolution in the words following :

Whereas, The employment of convicts in the State prisons, at what is known as contract labor, is believed to be injurious to the tax-payers of the State and ruinous, financially and morally, to laboring men ; and

Whereas, The farming out of prison labor at fifty cents per day is injuring the interests and wounding the just self-esteem and the honorable sentiments of our skilled artizans and workingmen, who are the strength of our State and who have made American labor more efficient than any other in the processes of production, and have conferred upon our country the renown of its achievements ; therefore, be it.

Resolved, That the committee on state prisons, be requested to report within ten days, a bill prohibiting the farming out of prison labor at less than one dollar a day, and providing that all goods, wares and merchandise manufactured by convict labor in the State prisons and penitentiaries of this State, shall be branded with the name of the contractor and the prison or penitentiary in which such articles were made.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Speaker announced the special order of the day, being the bill entitled "An act to regulate the sale of intoxicating liquors, wines, ale and beer in the city of New York."

The House then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows :

"An act to regulate the sale of intoxicating liquors, wines, ale and beer in the city of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. E. Taylor, from said committee, reported progress on said named bill, and that they had stricken out the first section of the same, and asked and obtained leave to sit again.

Mr. Gilbert moved to discharge the committee of the whole from further consideration of said bill, and that the same be recommitted to the committee on affairs of cities, with instructions to strike out the enacting clause.

Mr. Gilbert moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Meyenborg moved for a call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Gilbert, and it was determined in the affirmative, as follows :

AYES 64.

NOES 55.

Those who voted in the affirmative, were

ABBOTT	DEYOE	KELLOGG	PALMER	SKINNER
ALVORD	FISH	KERN	PARKER	SUTHERLAND
ANDREWS	GILBERT	KING	CICERO C. PECK	E. TAYLOR
BERRY	GRAHAM	LOWING	D. C. PECK	TERRY
BRUNDAGE	GRIGGS	MATTISON	PEEK	THOMSON
CASE	HALLIDAY	MEAD	POOL	VALENTINE
CHAPPELL	HEPBURN	MEKEEL	PRESCOTT	WADSWORTH
CHASE	HOLBROOK	J. H. MILLER	REYNOLDS	WARING
CLAPP	HOYT	S. V. R. MILLER	ROWLAND	WILBOR
J. M. CLARK	HULME	MOOERS	SAWYER	WILLIAMS
CONVERSE	HURD	NEILSON	SEWELL	WILLIS
CORMACK	KEATOR	NORTH	SHEARD	WINCH
CRANDALL	KEEGAN	NOYES	SHELDON	

Those who voted in the negative, were

ALLEN	COSAD	FRANK	LANGNER	SEARING
ASTOR	CRAWFORD	GALVIN	LOVELAND	SEEBACHER
BAKER	CROWLEY	GRADY	MAPES	SHANLEY
BATHE	CURRAN	HAMILTON	MCDONOUGH	SLITER
BEARD	DALY	HAVENS	MEYENBORG	STORY
BERGEN	DAY	I. I. HAYES	NIVEN	STRACK
BOUCK	DOUGLASS	J. HAYES	PATTERSON	J. T. TAYLOR
BROOKS	FITZGERALD	HENRY	PIPER	THAIN
BROWNING	FLOYD-JONES	HOBBIE	PROPER	TOWNSLEY
CLANCY	FLYNN	HOLAHAN	PURDY	WILLERS
J. CLARK	FOSTER	JONES	ROBERTS	WORTH

Mr. Gilbert moved to reconsider the vote by which said resolution was passed.

Mr. Fish moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Gilbert, and it was determined in the affirmative.

By unanimous consent, Mr. Brooks presented a petition from the trustees of the Seaman's Fund and Retreat of the city and port of New York for an appropriation; which was read and referred to the committee on ways and means.

Mr. Speaker presented a communication from the Comptroller in response to a resolution of the Assembly relative to the expense of the improvement of the navigation of the Hudson river.

On motion of Mr. Alvord, said communication was referred to the committee on ways and means, and ordered printed.

(See Doc. No. 79.)

Also, a communication from the Adjutant-General in response to a resolution of the Assembly relative to the amount of money received from the United States as reimbursement for military and other war purposes of the late war.

On motion of Mr. Alvord, said communication was referred to the committee on ways and means, and ordered printed.

(See Doc No. 80.)

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Pattengill, Int. No. 346, entitled "An act regulating the term of office of supervisors in the county of Otsego," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Prescott, Int. No. 358, entitled "An act to empower Rome Lodge No. 266 of the Independent Order of Odd Fellows of the State of New York, city of Rome, county of Oneida, to hold and convey real and personal estate, and constitute the same a corporation," reported adversely thereto, on the ground that the objects of the bill may be accomplished under the general laws, which report was agreed to.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Willers, Int. No. 176, entitled "An act to repeal an act entitled 'An act to provide for the organization and regulation of certain business corporations,' passed June 21, 1875," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Thain, Int. No. 495, entitled "An act to amend an act entitled 'An act to authorize the formation of gas-light companies,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and at 2 o'clock, the House adjourned.

FRIDAY, MARCH 8, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Holmes.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. J. M. Clark introduced a bill entitled "An act to legalize and

confirm the election of officers for the village of Dundee, in the county of Yates," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. J. M. Clark, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HULME	MOERS	SEWELL
ALVORD	CURRAN	HURD	MEYENBORG	SHANLEY
ANDREWS	DEYOE	JONES	NEILSON	SHEARD
BAKER	FISH	KEATOR	NIVEN	SHELDON
BATHE	FITZGERALD	KEEGAN	NORTH	SKINNER
BEARD	FLOYD-JONES	KELLOGG	NOYES	SLITER
BERGEN	FLYNN	KERN	PARKER	SUTHERLAND
BERRY	FOSTER	KING	PATTENGILL	E. TAYLOR
BRUNDAGE	GALVIN	LANGNER	PATTERSON	THAIN
CHASE	GRAHAM	LOVELAND	CICERO C. PECK	THOMSON
CLANCY	HALLIDAY	LOWING	PEEK	VALENTINE
CLAPP	HAVENS	MAPES	PIPER	WADSWORTH
J. CLARK	HENRY	MATTISON	REYNOLDS	WARING
J. M. CLARK	HEPBURN	MCDONOUGH	ROBERTS	WHEELER
CONVERSE	HOBBI	MEAD	ROWLAND	WILBOR
CORMACK	HOLBROOK	S. V. R. MILLER	SAWYER	WILIS
CRANDALL	HOYT	MOLLER	SEARING	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Foster introduced a bill entitled "An act to provide for the election of inspectors of election in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Wakely introduced a bill entitled "An act to authorize the county clerk of Allegany county to sign the name of W. H. H. Russell, clerk to the certificates of record of deeds, mortgages, and other papers recorded in the Allegany county clerk's office, and otherwise complete said records where the same were not completed or certified by the said W. H. H. Russell, clerk," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wakely, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	KEATOR	NIVEN	SEWELL
ALLEN	CURRAN	KEEGAN	NORTH	SHANLEY
ALVORD	DEYOE	KELLOGG	NOYES	SHEARD
ANDREWS	FISH	KING	PARKER	SKINNER
ASTOR	FITZGERALD	LANGNER	PATTENGILL	SLITER
BAKER	FLOYD-JONES	LOVELAND	PATTERSON	STORY
BERRY	FLYNN	LOWING	CICERO C. PECK	SUTHERLAND

BOUCK	FOSTER	MAPES	PEEK	E. TAYLOR
BROWNING	GALVIN	MATTISON	PIPER	THAIN
BRUNDAGE	HALLIDAY	MCDONOUGH	POOL	THOMSON
CHAPPELL	HAVENS	MEAD	PRESCOTT	VALENTINE
CHASE	HENRY	MEKEEL	PROPER	WAKELY
CLANCY	HEPBURN	J. H. MILLER	ROBERTS	WEMPLE
J. CLARK	HOBBS	MOLLER	ROWLAND	WILBOR
CORMACK	HOLBROOK	MOOERS	SAWYER	WILLIS
CRANDALL	HULME	NEILSON	SEARING	WINCH
CRAWFORD	JONES			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Henry introduced a bill entitled "An act to amend an act relative to the construction of sewers in a certain district in the city of Brooklyn, and providing for laying an assessment for sewers in said district, passed June 21, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Crandall introduced a bill entitled "An act to amend chapter 135 of the Laws of 1876, entitled 'An act to authorize plankroad and turnpike road companies formed under and by virtue of an act entitled An act to provide for the incorporation of companies to construct plankroads, and of companies to construct turnpike roads,' passed May 7, 1847, to extend their charter or corporate existence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wemple introduced a bill entitled "An act to amend chapter 466 of the Laws of 1877, entitled 'An act in relation to the assignment of the estates of debtors for the benefit of creditors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Thain introduced a bill entitled "An act to prohibit the further issue of bonds of the mayor, aldermen and commonalty of the city of New York for the construction of the bridge over the East river, between the said city and the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Galvin introduced a bill entitled "An act to amend chapter 448 of the Laws of 1876, entitled "An act relating to courts, officers of justice, and civil proceedings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Prescott introduced a bill entitled "An act to provide for the records of boards of supervisors, and the preservation of same in county clerks' offices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Searing introduced a bill entitled "An act in relation to the collection of taxes in the city of Kingston," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Searing, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HEPBURN	MOLLER	SEWELL
ALLEN	CORMACK	HOBBIE	MOOERS	SHANLEY
ALVORD	CRAWFORD	HOLBROOK	NELSON	SHELDON
ANDREWS	CROWLEY	HOYT	NIVEN	SKINNER
BAKER	DEYOE	JONES	NORTH	STORY
BATHE	FISH	KEATOR	NOYES	SUTHERLAND
BERGEN	FITZGERALD	KEEGAN	PARKER	E. TAYLOR
BERRIGAN	FLOYD-JONES	KELLOGG	PATTENGILL	TERRY
BERRY	FOSTER	KERN	CICERO C. PECK	THAIN
BOUCK	GALVIN	LANGNER	PEEK	THOMSON
BROOKS	GILBERT	LOVELAND	POOL	VALENTINE
BRUNDAGE	GRAHAM	LOWING	PROPER	WADSWORTH
CHAPPELL	HALLIDAY	MATTISON	REYNOLDS	WAKELY
CHASE	HAVENS	MCDONOUGH	ROWLAND	WARING
CLANCY	I. I. HAYES	MEAD	SAWYER	WEMPLE
CLAPP	J. HAYES	MEKEEL	SEARING	WILLERS
J. CLARK	HENRY	S. V. R. MILLER	SEEBACHER	WILLIS
J. M. CLARK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Terry introduced a bill entitled "An act for the distribution of the funds now in the Insurance Department, which funds now stand to the credit of the National Life Insurance Company of New York, for the security of its policyholders," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fish introduced a bill entitled "An act to abolish the board of excise, and to confer additional powers on the police department of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Day introduced a bill entitled "An act permitting persons entitled to an interest in real estate, to prosecute proceedings in partition to obtain the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Palmer introduced a bill entitled "An act to discharge chattel mortgages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Flynn introduced a bill entitled "An act to repeal an act entitled 'An act to amend an act to provide for the incorporation of religious societies,' passed April 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Also, a bill entitled "An act to transfer the care and control of Bedford avenue, in the city of Brooklyn, to the park commissioners of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Story introduced a bill entitled "An act for the improvement of the navigation of the Hudson river, and to make an appropriation there-

for," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Mooers introduced a bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. I. I. Hayes introduced a bill entitled "An act to increase the tonnage of boats, and to facilitate their passage through the canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Halliday introduced a bill entitled "An act to legalize the formation of co-operative fire insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. McDonough introduced a bill entitled "An act to provide for the better care of the insane and idiotic in this State, and to prevent sane persons from being deprived of their liberty in lunatic asylums," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. I. I. Hayes, Int. No. 458, entitled "An act to incorporate the New York and Western Pipe Company," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Thain, Int. No. 283, entitled "An act to amend section 1, chapter 316 of the Laws of 1876, entitled 'An act relative to judgments entered upon forfeited recognizances in the city and county of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bergen, Int. No. 417, entitled "An act to release the interest of the people of the State of New York in certain real estate in the town of Hempstead, in Queens county, to Richard Ingraham," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Moller, Int. No. 450, entitled "An act to authorize the New York Protestant Episcopal public school to mortgage real estate in the Nineteenth ward of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Graham, Int. No. 421, entitled "An act to extend the jail limits of Orange county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bergen, Int. No. 174, entitled "An act to provide for a revision and codification of the poor laws of this State," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bergen, Int. No. 442, entitled "An act to legalize the acts of Miles H. Bergen as notary public," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hurd, Int. No. 337, entitled "An act relating to pipe-line companies," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act authorizing the formation of pipe-line companies," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Thain, Int. No. 243, entitled "An act relative to notices of suits in equity," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Neilson, Int. No. 28, entitled "An act to establish the compensation of the county judge and the surrogate of Saratoga county, pursuant to the fifteenth section of the amended sixth article of the Constitution," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Thain, Int. No. 32, entitled "An act to secure the payment of mechanics, laborers and workmen who perform work; also persons furnishing materials toward the erection, altering or repairing of buildings, wharfs, vaults, or any other structure in the city and county of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. I. I. Hayes, Int. No. 432, entitled "An act to amend chapter 395 of the Laws of 1874, and to ratify, adopt and confirm the acts and proceedings of the commissioners for building Highland avenue, in the county of Rockland, and those of the commissioners of award of said avenue," reported adversely thereto, which report was agreed to.

Mr. Kern, from the committee on the judiciary, to which was referred the Senate bill No. 52, entitled "An act to release the interest of the people of the State of New York, in and to all surplus moneys arising from the sale in mortgage foreclosure of certain real estate in the city of Albany, of which Joseph Kirk died seized, to John Kirk," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the Senate bill, Int. No. 75, entitled "An act to confirm the official acts of Samuel H. Case, John M. Walkins and William W. Snow, commissioners of excise in and for the town of Oneonta, in the county of Otsego," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Pomeroy, Int. No. 93, entitled "An act to provide for the review and correction of illegal, erroneous, and unequal

assessments," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Case, from the committee on canals, to which was referred the bill introduced by Mr. Terry, Int. No. 392, entitled "An act to change the location of one of the bridges over the Champlain canal," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Moller, Int. No. 454, entitled "An act to amend chapter 721, Laws of 1873, entitled 'An act to authorize the city of Yonkers to issue bonds for the purpose of raising money to construct bridges over water courses in said city,' passed June 11, 1873," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Moller, Int. No. 452, entitled "An act to amend chapter 35 of the Laws of 1873, entitled 'An act to re-enact and amend an act entitled An act to incorporate the city of Yonkers,' passed June 1, 1872, passed February 28, 1873, and the several acts amendatory thereof," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Grady, Int. No. 86, entitled "An act to repeal chapter 264 of the Laws of 1866, entitled 'An act to erect the Free Academy of the city of New York, into a college,' and to repeal chapter 637 of the Laws of 1866, entitled An act in relation to the College of the City of New York," reported adversely thereto.

On motion of Mr. Fish, and by unanimous consent, said report was laid upon the table.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Langner, Int. No. 482, entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, and the several acts amendatory thereto," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Keegan, Int. No. 468, entitled "An act in relation to the city government of Long Island City," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Keegan, Int. No. 467, entitled "An act in relation to the local judiciary of Long Island City," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Seebacher, Int. No. 326, entitled "An act providing for truant officers in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Waring, Int. No. 466, entitled "An act to provide for a better administration of the public charities in the county of Kings, and for the creation of a department of public charities therein," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Moller, Int. No. 453, entitled "An act in relation to the City Court of Yonkers," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on the affairs of cities, to which was referred the bill introduced by Mr. Langner, Int. No. 498, entitled "An act authorizing the common council of the city of Buffalo to raise and appropriate money for the poor fund," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Moller, Int. No. 455, entitled "An act in relation to the redemption of lands in the city of Yonkers from sales for unpaid taxes and assessments," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 77, entitled "An act to enable the president and commissioners of the department of city works of the city of Brooklyn to purchase all articles necessary to the furnishing of the new public building therein in such manner as is for the best interest of said city," reported in favor of the passage of the same, with an amendment.

On motion of Mr. Waring, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	JONES	NIVEN	SHANLEY
ALLEN	CROWLEY	KEEGAN	NORTH	SHEARD
ALVORD	CURRAN	KELLOGG	NOYES	SHELDON
ANDREWS	DAY	KERN	PARKER	SKINNER
ASTOR	DEYOE	KING	PATTENGILL	SUTHERLAND
BEARD	FISH	LANGNER	CICERO C. PECK	E. TAYLOR
BERRY	FLOYD-JONES	LOVELAND	PEEK	TERRY
BOUCK	FLYNN	MATTISON	PIPER	THOMSON
BROOKS	FOSTER	MCDONOUGH	POOL	TOWNSLEY
BROWNING	FRANK	MEAD	PRESCOTT	VALENTINE
BRUNDAGE	GALVIN	J. H. MILLER	PROPER	WADSWORTH
CHAPPELL	HALLIDAY	S. V. R. MILLER	REYNOLDS	WAKELY
CLANCY	HAVENS	MOLLER	ROBERTS	WARING
CLAPP	I. I. HAYES	MOOERS	ROWLAND	WILBOR
J. CLARK	HENRY	MEYENBORG	SAWYER	WILLERS
J. M. CLARK	HOBBIE	NEILSON	SEARING	WILLIS
CONVERSE	HOLAHAN	NELSON	SEWELL	WINCH
CRANDALL	HOYT			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Brooks offered, for the consideration of the House, a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor asking for a return of Assembly bill No. 36, for amendment,

relating to the exterior bulk-head and pier-lines of the harbor of New York on the Staten Island side.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fitzgerald, Int. No. 365, entitled "An act to amend section 15 of chapter 579 of the Laws of 1853, entitled 'An act to simplify the manner of collecting the arrears of taxes, assessments, and regular rents of Croton water in the city and county of New York,'" reported the same for the consideration of the House, and the same was committed to the committee of the whole.

Mr. Fish moved that said bill be recommitted to the committee on affairs of cities, when printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fitzgerald, Int. No. 363, entitled "An act in relation to arrears of taxes and assessments in the city of New York, and to provide for the re-issuing of revenue bonds in anticipation of such taxes and assessments," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Fish moved that said bill be recommitted to the committee on affairs of cities, when printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Gilbert, Int. No. 536, entitled "An act to amend chapter 268, of the Laws of 1875, entitled 'An act to incorporate the Western Railroad Company,'" reported in favor of the passage of the same.

On motion of Mr. Gilbert, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOLAHAN	NELSON	SHANLEY
ALLEN	COSAD	HOYT	NORTH	SHEARD
ALVORD	CRANDALL	JONES	NOYES	SHELDON
ANDREWS	CRAWFORD	KEATOR	PALMER	SKINNER
ASTOR	CROWLEY	KEEGAN	PARKER	SLITER
BAKER	CURRAN	KELLOGG	PATTENGILL	E. TAYLOR
BATHE	DAY	KERN	CICERO C. PECK	TERRY
BEARD	DEYOE	KING	PEEK	THOMSON
BERGEN	FISH	LANGNER	PIPER	TOWNSLEY
BERRY	FLOYD-JONES	MAPES	POOL	VALENTINE
BOUCK	FLYNN	MATTISON	PRESCOTT	WADSWORTH
BROWNING	FOSTER	MEKEEL	PROPER	WAKELY
BRUNDAGE	GALVIN	J. H. MILLER	REYNOLDS	WHEELER
CASE	GILBERT	S. V. R. MILLER	ROWLAND	WILBOR
CHAPPELL	HAMILTON	MOLLER	SAWYER	WILLIAMS
CHASE	I. I. HAYES	MOOERS	SEARING	WILLS
CLANCY	J. HAYES	MEYENBORG	SEEBACHER	WINCH
J. M. CLARK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish moved that the vote by which the adverse report of the committee on affairs of cities, in regard to the Assembly bill entitled "An act to amend chapter 35 of the Laws of 1873, entitled An act to re-enact and amend an act entitled An act to incorporate the city of Yonkers, passed June 1, 1872," passed February 28, 1873, and the several acts amendatory thereof," was agreed to, be reconsidered, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Hepburn, Int. No. 527, entitled "An act in relation to the Ogdensburg and Lake Champlain Railroad," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Wheeler, Int. No. 503, entitled "An act to amend chapter 140 of the Laws of 1850, entitled 'An act for the formation of railroad corporations, and to regulate the same,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Wilbor, Int. No. 119, entitled "An act to amend chapter 373 of the Laws of 1866, entitled 'An act to authorize any town in the counties of Columbia or Rensselaer to aid in the completion of the Lebanon Springs Railroad,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Prescott and Moller dissenting.)

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Langner, Int. No. 40, entitled "An act relating to fares on street railroads in the city of Buffalo," reported adversely thereto.

Mr. Langner moved that said report be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Day, Int. No. 29, entitled "An act to regulate the rates of fare on the street railroads in the city of Buffalo," reported adversely thereto.

Mr. Day moved to lay said report upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Clapp, from the committee on banks, to which was referred the bill introduced by Mr. St. John, Int. No. 46, entitled "An act to repeal chapter 250, of the Laws of 1853, entitled 'An act relating to incorporated banks, banking associations and individual bankers located in the city of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill was committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was

referred the bill introduced by Mr. Hepburn, Int. No. 539, entitled "An act in relation to granting licenses to sell intoxicating drinks," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Palmer, Int. No. 513, entitled "An act to amend section 18 of article 3 of title 3 of chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bergen, Int. No. 395, entitled "An act providing for determining the time at which annual town meetings shall be held in the respective counties of this State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Winch, Int. No. 465, entitled "An act to amend section 19 of chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and crime, and regulate the sale of intoxicating liquors,'" reported in favor of the passage of the same, and the title amended so as to read "An act to amend section 19 of chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and crime, and regulate the sale of intoxicating liquors,' so far as the same relates to the county of Ontario," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hurd, Int. No. 338, entitled "An act to amend an act entitled 'An act to make the office of supervisor in the county of Erie a salaried office, and to provide for the appointment and compensation of other officers of said board,' passed May 13, 1876," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bergen, Int. No. 275, entitled "An act to provide for a police commission in the town of New Lots, Kings county, and to establish a police force therein," reported in favor of the passage of the same.

On motion of Mr. Bergen, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HULME	NELSON	SLITER
ALLEN	DAY	HURD	NIVEN	STORY
ALVORD	DEYOE	JONES	NORTH	SUTHERLAND
ANDREWS	DOUGLASS	KEATOR	NOYES	E. TAYLOR
BEARD	FISH	KEEGAN	PARKER	TERRY
BERGEN	FLOYD-JONES	KELLOGG	PATTENGILL	THAIN
BERRY	FLYNN	KERN	CICERO C. PECK	THOMSON
BROOKS	FOSTER	KING	PIPER	TOWNSLEY
BROWNING	GALVIN	LOVELAND	POOL	VALENTINE

BRUNTAGE	GRAHAM	LOWING	PRESCOTT	WADSWORTH
CASE	HAMILTON	MATTISON	REYNOLDS	WAKELY
CHAPPELL	HAVENS	MEAD	ROBERTS	WEMPLE
CLAPP	I. I. HAYES	MEKEEL	ROWLAND	WILBOR
J. M. CLARK	HEPBURN	J. H. MILLER	SAWYER	WILLIAMS
CORMACK	HOLAHAN	S. V. R. MILLER	SEARING	WILLIS
CRANDALL	HOLBROOK	MOLLER	SHEARD	WINCH
CRAWFORD	HOYT	MOOERS	SHELDON	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. J. M. Clark, Int. No. 501, entitled "An act to provide that the superintendent of the poor of the county of Yates may be the keeper of the poor-house of said county," reported in favor of the passage of the same, with amendments.

On motion of Mr. J. M. Clark, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HULME	NIVEN	SHEARD
ALVORD	CRANDALL	JONES	NORTH	SHELDON
ANDREWS	DAY	KEEGAN	NOYES	SKINNER
ASTOR	DEYOE	KELI OGG	PARKER	SLITER
BAKER	FISH	KERN	PATTENGILL	SUTHERLAND
BEARD	FITZGERALD	KING	PATTERSON	E. TAYLOR
BERRY	FLYNN	LANGNER	CICERO C. PECK	TERRY
BOUCK	FOSTER	LOVELAND	PIPER	THOMSON
BROWNING	GALVIN	LOWING	POOL	VALENTINE
BRUNDAGE	HALLIDAY	MATTISON	PRESCOTT	WADSWORTH
CASE	HAMILTON	MEKEEL	PROPER	WARING
CHAPPELL	I. I. HAYES	J. H. MILLER	ROBERTS	WEMPLE
CLANCY	HEPBURN	S. V. R. MILLER	ROWLAND	WILBOR
CLAPP	HOBBIE	MOLLER	SAWYER	WILLERS
J. CLARK	HOLAHAN	MOOERS	SEARING	WILLIAMS
J. M. CLARK	HOLBROOK	NELSON	SEWELL	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Andrews, Int. No. 525, entitled "An act to confirm the election of village trustees of the village of Whitney's Point, and to provide for and determine by lot their respective terms of office," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to confirm the election of village trustees of the villages of Whitney's Point and Lisle, in Broome county, and to provide for and determine their respective terms of office."

On motion of Mr. Andrews, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HULME	NOYES	SHANLEY
ALVORD	CRAWFORD	JONES	PALMER	SHELDON
ANDREWS	CURRIAN	KEATOR	PARKER	SKINNER
ASTOR	DALY	KEEGAN	PATTENGILL	SLITER
BAKER	DEYOE	KELLOGG	PATTERSON	SUTHERLAND
BATHE	FISH	LANGNER	CICERO C. PECK	E. TAYLOR
BEARD	FITZGERALD	LOVELAND	PIPER	TERRY
BERRY	FLOYD-JONES	LOWING	POOL	THAIN
BOUCK	FOSTER	MAPES	PRESCOTT	TOWNSLEY
BROOKS	GALVIN	MEKEEL	PROPER	VALENTINE
BROWNING	HAVENS	J. H. MILLER	REYNOLDS	WADSWORTH
BRUNDAGE	J. HAYES	S. V. R. MILLER	ROBERTS	WEMPLE
CASE	HEPBURN	MOOERS	ROWLAND	WHEELER
CHAPPELL	HOBBIE	MEYENBORG	SAWYER	WILBOR
CHASE	HOLAHAN	NEILSON	SEARING	WILLIAMS
J. CLARK	HOLBROOK	NELSON	SEEBACHER	WILLIS
CORMACK	HOYT	NIVEN		

For the negative,

THOMSON

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Wheeler stated that when the vote was taken yesterday to strike out the enacting clause of the Assembly bill entitled "An act to regulate the sale of intoxicating liquors," he was absent from the House; and had he been present, he would have voted in the affirmative.

Mr. Moller stated that when the vote was taken yesterday to strike out the enacting clause of Assembly bill, entitled "An act to regulate the sale of intoxicating liquors," he was absent from the House; and had he been present, he would have voted in the negative.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. J. M. Clark, Int. No. 537, entitled "An act to amend article 5 of title 1, chapter 16 of part 1 of the Revised Statutes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Peek, Int. No. 139, entitled "An act to allow the Cayadutta Plank Road Company, in the town of Johnstown, in the county of Fulton, to extend and continue its corporate existence," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Rowland, Int. No. 528, entitled "An act to legalize the proceedings of the electors of the town of Fowler, St. Lawrence county, in annual and special town meetings assembled, on the 12th and 26th days of February, 1878, in relation to the raising of money for the improvement of certain roads," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. King, from the committee on public health, to which was referred the bill introduced by Mr. Speaker, Int. No. 428, entitled "An act providing for report of births, marriages and deaths, the registry of vital statistics and the regulation of interments," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

“An act to change the commissioners’ map of Long Island City, with respect to the intersection of Vernon avenue with Borden and Jackson avenues respectively.”

“An act to authorize the formation of town insurance companies.”

“An act to create a board of park commissioners and to provide for the care, government, protection and improvement of the public park known as Ross park in the city of Binghamton.”

“An act to enable the Home for Incurables to take and hold real estate to the amount of two hundred and fifty thousand dollars in value.”

“An act to amend chapter 249 of the Laws of 1857, entitled ‘An act to amend an act entitled An act to incorporate the American Female Guardian Society.’”

“An act in relation to the military record fund and to provide for the refunding of moneys contributed by towns and cities of this State and by individuals, for the erection of a hall of military record.”

“An act to amend section 1 of chapter 73 of the Laws of 1875, entitled ‘An act to establish specie payments on all contracts or obligations payable in this State in dollars, and made after January 1st, 1879.’”

“An act to amend title 4 of chapter 4 of part second of the Revised Statutes, relating to the accumulation of personal property, and of expectant estates in such property.”

“An act to amend subdivision 4 of section 1 of chapter 257 of the Laws of 1876, entitled ‘An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.’”

“An act to amend an act entitled ‘An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the power of the corporation of said village,’” passed April 3d, 1861.

“An act to provide for changing the term of office of supervisors in the several towns of Erie county.”

“An act in relation to coroners’ fees and post mortem examinations in Monroe county.”

Mr. Terry, from the committee on privileges and elections, made the following report :

STATE OF NEW YORK—ASSEMBLY CHAMBER, }
ALBANY, March 7, 1878. }

To the Honorable the Assembly :

The committee on privileges and elections, to which was referred the petition of Thomas Foley, claiming the seat in the Assembly now held and occupied by John F. Berrigan as member of Assembly for the First Assembly district of the city and county of New York, respectfully report that the petitioner, Thomas Foley, has abandoned his claim to the seat of the sitting member, John F. Berrigan.

Your committee, therefore, respectfully recommend the adoption of the following resolution :

Resolved, That John F. Berrigan is entitled to the seat now held and occupied by him as member of Assembly for the First Assembly district of the city and county of New York.

Dated March 7, 1878.

GEO. L. TERRY,
O. D. PRESCOTT,
L. B. KERN,

JAMES G. GRAHAM,
S. B. PIPER,
HAMILTON FISH, JR.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Speaker announced, pursuant to ninth joint rule, order of business third reading of bills.

Mr. Alvord moved that said order of business be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Wadsworth, from the committee on agriculture, to which was referred the bill introduced by Mr. Havens, Int. No. 382, entitled "An act to amend chapter 167 of the Laws of 1869, entitled 'An act to encourage the organization of town agricultural societies,' passed April 14, 1869," reported adversely thereto, which report was agreed to.

Mr. Wadsworth, from the committee on agriculture, to which was referred the Senate bill, Int. No. 79, entitled "An act to incorporate the American Jersey Cattle Club, for improving the breeding of Jersey cattle in the United States," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wadsworth, from the committee on agriculture, to which was referred the bill introduced by Mr. Alvord, Int. No. 330, entitled "An act in relation to contagious and infectious diseases of animals," reported in favor of the passage of the same with some amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wadsworth, from the committee on agriculture, to which was referred the bill introduced by Mr. Prescott, Int. No. 488, entitled "An act to secure the owners or keepers of stallions and jacks for the services of same," reported in favor of the passage of the same with some amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wadsworth, from the committee on agriculture, to which was referred the bill introduced by Mr. Fish, Int. No. 246, entitled "An act to prevent the adulteration of lard, and the manufacture and sale of adulterated lard," reported adversely thereto, which report was agreed to.

Mr. Mekeel, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Keegan, Int. No. 53, entitled "An act to regulate the rate of foot passenger ferriage across the East river from the foot of East Thirty-fourth street, New York city, and Borden avenue, Long Island city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Messrs. Willis, Floyd-Jones, Wheeler, Mapes, Sewell and J. H. Miller presented petitions against any modification of the excise laws; which were read and referred to the committee on internal affairs.

Mr. Hobbie presented a petition in favor of a modification of the excise laws; which was read and referred to the committee on internal affairs.

Messrs. Parker and Noyes presented petitions in favor of an amendment to the charter of the Ancient Order of United Workmen; which were read and referred to the committee on general laws.

Messrs. Holbrook, Alvord and Noyes presented petitions against the passage of the savings bank bill; which were read and referred to the committee on banks.

Messrs. Valentine, Reynolds, Hobbie and Chappell presented petitions in favor of an amendment to the assessment laws; which were read and referred to the committee on ways and means.

Mr. Gilbert presented a petition for the passage of an act creating a board of railroad commissioners; which was read and referred to the committee on railroads.

Mr. Willers presented a petition of citizens of Seneca county for the passage of an act for the formation of companies to insure property on the basis of mutual obligation; which was read and referred to the committee on insurance.

Mr. Winch presented a petition of citizens of Canandaigua for an amendment of the village charter; which was read and referred to the committee on the affairs of villages.

Mr. Sutherland presented a petition of citizens of Steuben county for the payment of outstanding certificates in favor of the soldiers of 1812; which was read and referred to the committee on ways and means.

Mr. Wadsworth presented a petition of the board of supervisors of Livingston county for the repeal of chapter 482 of the Laws of 1875; which was read and referred to the committee on roads and bridges.

Mr. Foster presented a petition of Louisa Hanneder praying for the release of certain lands situate in the city of Albany; which was read and referred to the committee on aliens.

Mr. Mekeel presented a petition respecting fishing in the counties of Ontario, Seneca, Schuyler, Chemung and Yates; which was read and referred to the committee on game laws.

Mr. Valentine offered, for the consideration of the House, a resolution in the words following:

Resolved, That when the House adjourns to-day, it be to meet on Monday next, at eight o'clock P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish called from the table a resolution, previously offered by him, in the words following:

Resolved, That evening sessions of this House be held every Tuesday and Thursday evenings at half-past seven o'clock P. M., beginning on Tuesday, March fourth.

Mr. Alvord moved to amend by striking out all after the word "resolved," and inserting in lieu thereof, the following words: "That the sessions of this House, hereafter, shall commence at ten o'clock in the morning.

Mr. Fish accepted said amendment.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Chase offered, for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That ten copies of the twelfth volume of the Colonial History of the State of New York, be furnished each member of the House and Senate, for distribution, if the same are printed and in possession of the Secretary of State and the property of the State.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Fitzgerald called from the table a preamble and resolution, previously offered by him, in the words following:

Whereas, By an act entitled "An act authorizing the construction of a bridge across the Hudson river at Albany, passed April 9, 1856," a body corporate was formed by the name of "The Hudson River Bridge Company," for the purpose of erecting and maintaining a bridge for the pur-

poses of railroad travel and transportation across the Hudson river at Albany; and,

Whereas, By section 12 of said act the directors of said company were authorized to establish, from time to time, tolls and charges subject to the approval of the Canal Board; provided, however, that such tolls and charges should be so regulated that they should not yield a net annual revenue to exceed ten per cent per annum upon the amount of the capital stock; and,

Whereas, It appears that the said company has not reported the amount of its net annual revenue since the year 1866, and that since said year no schedule of tolls and charges have been submitted by said company to the Canal Board for its approval, and that the tolls and charges have not been within said period of time regulated in proportion to the revenue as prescribed by law; and,

Whereas, By resolution of this House, passed January 24, 1878, the said company was required to report the amount of its annual revenue to this House within ten days, and the company not having so reported within the ten days, and an extension of ten days further time to report having been granted by motion of the House on the 7th day of February, 1878; and,

Whereas, The time so extended having expired, and the company having neglected and failed to comply with said resolution; therefore, be it

Resolved, That the Attorney-General be and he is hereby instructed to take immediate steps by *scire facias*, or other legal proceeding that to him may seem proper in the premises, and ascertain thereby whether or not the said company has been guilty of misuser or abuse of its corporate privileges and franchises; and if so, to effect the forfeiture of its charter.

Mr. Alvord moved to amend said resolution by striking out the word "instructed," and insert in lieu thereof the word "requested."

Mr. Fitzgerald accepted said amendment.

Mr. Fish moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Cormack called from the table a resolution, previously offered by him, in the words following:

Resolved, That the committee on canals be and is hereby instructed to consider and report to this House, the best and least expensive method of procuring a tabulated statement showing the sums of moneys paid by the several counties in this State, by taxation, for the construction and maintenance of its several canals.

Mr. Alvord moved to amend said resolution by adding, at the end thereof, the words "and, also, how much money has been paid out of the State treasury for the improvement of rivers and creeks in the county of Delaware for the purpose of floating out logs and lumber."

Mr. Cormack accepted said amendment.

Mr. Speaker put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Berry offered, for the consideration of the House, a resolution in the words following:

Resolved, That the Speaker and Clerk of this House be and they are hereby directed to cause an examination to be made of all bills now on

general orders, and such bills as may be reported from any standing committee, and, from time to time, submit a list to this House of such as are properly referable to the sub-committee of the whole; and the approval of the House, of such list, shall refer such bills to the sub-committee of the whole with the same effect that separate resolutions now refer such bills.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Speaker presented a communication from the Attorney-General, in response to a resolution adopted by the Assembly, relative to regulating the speed of foreign or coastwise steamers in the harbor of New York.

On motion of Mr. Brooks, and by unanimous consent, said communication was laid upon the table and ordered printed.

(See Doc. No. 82.)

The Senate returned the following resolution, with a message that they had concurred in the passage of the same:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, asking for a return of Assembly bill No. 36, for amendment, relating to the exterior bulk-head and pier lines of the harbor of New York, on the Staten Island side.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Kern rose to a question of privilege, and stated that Mr. Ham, reporter of the New York Star, had used indecent and ungentlemanly language toward him, in the presence of several members, and in connection therewith offered the following resolution:

Resolved, That E. Ham, reporter of the New York Star for the Senate, be and he is hereby excluded from the privileges of the floor of this House during the remainder of the session.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Keegan moved that said resolution be referred to the committee on grievances.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the bill entitled as follows:

"An act to repeal chapter 82 of the Laws of 1872, entitled 'An act to prevent the cutting of ice in Chautauqua lake,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

The Senate returned the following entitled bills, with a message that they had concurred in the amendments of the Assembly thereto:

"An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings.'"

"An act to legalize the official acts of the First Congregational Society of the city of Schenectady, and the official acts of the trustees of said society."

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the following entitled bill:

"An act to repeal chapter 556 of the Laws of 1871, entitled 'An act relating to Queens County Railway Company,' and to repeal the first

section of chapter 636 of the Laws of 1872, entitled 'An act relating to Queens County Railway Company.'"

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received and read, from the Governor, in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *March 8, 1878.* }

To the Assembly :

In accordance with a joint resolution of the Senate and Assembly, I return, for amendment, Assembly bill No. 36, entitled "An act to establish the exterior bulk-head and pier lines of the harbor of New York, on the Staten Island side."

L. ROBINSON.

On motion of Mr. Brooks, and by unanimous consent, said message, with bill, was laid on the table.

Indefinite leave of absence was granted to Mr. Nelson.

Mr. Speaker stated that when the appointments of pages were made by him, the name of Frederick R. Winne was announced, and it should have been Henry V. Winne.

On motion of Mr. Alvord, and at 1 o'clock and 10 minutes, the House adjourned.

MONDAY, MARCH 11, 1878.

The House met pursuant to adjournment.

No clergyman present.

The journal of Friday, March 8, was read and approved.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows :

"An act to authorize the water commissioners of the city of Watertown to issue bonds for the purpose of raising funds for the construction of new distributing and pumping mains."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate sent for concurrence the bills entitled as follows :

"An act to amend chapter 235 of the Laws of 1860, entitled 'An act to amend the act entitled An act to amend the act entitled An act to provide for the incorporation of religious societies, passed April 5th, 1813, and the several acts amendatory thereof,' passed March 30th, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to release the interest of the State in the real estate of which Frederick Tornquest, otherwise known as Frederick John Tornquest, late of the city, county and State of New York, died seized, to Annie Tornquest, his widow," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the petitions of aliens.

Mr. Cormack introduced a bill entitled "An act to alter the boundary line between the towns of Davenport and Meredith, in the county of Delaware," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on civil divisions.

Mr. Roberts introduced a bill entitled "An act to incorporate the Black River Improvement Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Alvord introduced a bill entitled "An act relating to the sale of native wines, ale and lager bier," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Fish offered, for the consideration of the House, a resolution in the words following:

Concurrent resolution proposing an amendment to the Constitution, by amending section 22 of the third article of the Constitution:

Resolved (if the Senate concur), That the 22d section of the third article of the Constitution of this State be amended so as to stand and read as follows:

"Section 22. There shall be in the several counties, except in cities whose boundaries are the same as those of the county, a board of supervisors to be composed of such members and elected in such manner and for such period as is or may be provided by law. In any such city the duties and powers of a board of supervisors may be devolved upon a board of aldermen thereof, except such duties and powers as involve the making of contracts, procuring supplies, or creating, auditing or allowing county charges, all which duties and powers, whether now existing or hereafter to be created, shall be exercised and performed exclusively by the board of finance."

Ordered, That said resolution be laid upon the table.

Mr. Fish offered, for the consideration of the House, a resolution in the words following:

Concurrent resolution proposing an amendment to the Constitution, by amending the first section of the second article of the Constitution:

Resolved (if the Senate concur), That the first section of the second article of the Constitution of this State be amended so as to stand and read as follows:

"Section 1. Every male citizen of the age of twenty-one years, who shall have been a citizen for ten days and an inhabitant of this State one year next preceding an election, and for the last four months a resident of the election district in which he may offer to vote, shall be entitled to vote at such election in the district of which he shall at the time be a resident, and not elsewhere, for all officers that now are or hereafter may be elective by the people, and upon all questions which may be submitted to the vote of the people; but the Legislature may provide that elections for members of city boards shall be so regulated as to give to minorities a proportionate share of representation therein; *provided*, that in time of war no elector in the actual military service of the State or of the United States, in the army or navy thereof, shall be deprived of his vote by reason of his absence from such election district, and the Legislature shall have power to provide the manner in which and the time and place at which such absent electors may vote, and for the return and canvass of their votes in the election districts in which they respectively reside."

Ordered, That said resolution be laid upon the table.

Mr. Burns introduced a bill entitled "An act for the better security of life from fire in hotels and other buildings," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Speaker presented a petition for the abolition of county jails as prisons for convicts; which was read and referred to the committee on state prisons.

Mr. J. H. Miller presented a petition of members of the Ancient Order of United Workmen for an amendment of their charter; which was read and referred to the committee on general laws.

Mr. Willers presented a petition of citizens of Seneca county for the passage of an act for the formation of companies to insure property on the basis of mutual obligations; which was read and referred to the committee on insurance.

Also, a petition of tax-payers of Seneca county for an amendment of the assessment laws; which was read and referred to the committee on ways and means.

Mr. Alvord presented a remonstrance of citizens of Onondaga county against a change in the savings bank law; which was read and referred to the committee on banks.

Mr. Willis presented a petition of citizens of Onondaga county against any modification of the excise laws; which was read and referred to the committee on internal affairs.

Mr. Daly offered, for the consideration of the House, a preamble and resolution in the words following :

Whereas, The creation of a board of estimate and apportionment, for the city of New York, was a part of a system deceptively begun, with the intent to strip the electors, aldermen and commonalty of proper legislative power and control; and

Whereas, The legislation of this State respecting the city of New York, in 1873, by re-creating a board of estimate and apportionment, adopts the vicious system of 1871, and thereby keeps in abeyance during many years the elective power of the voters of that city over taxation and expenditure, and sets up an irresponsible oligarchy of four persons, who have the chief powers of expenditure and taxation, of legislation and administration over a million of people; and

Whereas, The members of this board have been put in office and kept in office by a law of the State, without the consent of the voters of that city, and are beyond the power of removal by its voters; and

Whereas, The corporation counsel of the city of New York has recently declared, in an elaborate official opinion, that this board has "general legislative power" in city affairs; and

Whereas, A newspaper published in the city of New York—the New York Times—declared, on the 5th of September, 1871, that the legislation of the State, which first created the board, "was the exclusive invention of the 'Ring,' and was a fraud from the beginning," which "was designed to consolidate and perpetuate all municipal power in the hands of an oligarchy of four men"; and

Whereas, Such a power in the hands of a few officers, who are not elective and cannot be removed from office by a majority of the voters of the municipality, is at variance with the accepted maxims and traditions of American representative government; therefore, be it

Resolved, By the Assembly, that the committee on cities be and it hereby is directed to forthwith inquire and report whether the law creating and maintaining the present board of estimate and apportionment in New York city should not be repealed, and other laws be

enacted instead, which, under proper supervision by the State, will enable the voters of the city, by one election, to exercise an efficient and safe control over the local affairs of the municipality.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Peek offered, for the consideration of the House, a resolution in the words following :

Resolved, That the bill (printed No. 177, G. O. No. 199), entitled "An act to amend chapter 505 of the laws of 1873, entitled 'An act to reorganize the village of Gloversville,' passed May 14, 1873," be recommitted to the committee on affairs of villages, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Speaker introduced a bill entitled "An act to amend chapter 80 of the laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the national guard of the State of New York, and for the public defence, and entitled the Military Code,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Mr. Berry called from the table a resolution, previously offered by him, in the words following :

Resolved, That the Speaker and Clerk of this House be and they are hereby directed to cause an examination to be made of all bills now on general orders, and such bills as may be reported from any standing committee, and, from time to time, submit a list to this House of such as are properly referable to the sub-committee of the whole, and the approval of the House of such list shall refer such bills to the sub-committee of the whole, with the same effect that separate resolutions now refer such bills.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Astor moved that the Senate bill entitled "An act to furnish approved arms to the Albany Burgesses Corps," be recommitted to the committee on militia.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced order of business third reading of bills.

Mr. Alvord moved to lay said order of business upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker then announced order of business general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend chapter 477 of the laws of 1875, entitled 'An act to amend an act entitled 'An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871 ; and also an act to re-enact and amend the same, passed April 6, 1871 ; also, to extend the distribution of Croton water through the city of New York, including the two new wards, and to lay the necessary mains therefor, and to deliver it at higher elevation,' passed May 28, 1875."

"An act to amend an act to provide for a uniform system for the

repavement of streets, avenues and public places in the city of New York,' passed May 28, 1875."

Senate, "An act to amend chapter 328 of the Laws of 1868, entitled 'An act to amend and continue in force an act entitled An act to incorporate an association for the relief of respectable aged indigent females in the city of New York,' passed March 10, 1815, and the acts continuing in force and amending the same."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Burns, from said committee, reported in favor of the passage of the first named bill, with amendments, and the title amended by striking out the words "passed May 28, 1875," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Burns, from the same committee, also reported in favor of the passage of the second named bill, with amendments, and the title amended by inserting after the word "amend," the words "chapter 476 of the Laws of 1875, entitled;" and by striking out the words "passed May 28, 1875," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Burns, from the same committee, also reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to the office of railroad commissioners in Ulster county."

"An act to repeal all acts and parts of acts relating to the preservation and protection of fish in the waters of Silver lake in the county of Wyoming."

Senate, "An act to provide for extending the time for the collection of taxes in the city of Hudson."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wadsworth, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Wadsworth, from the same committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Wadsworth, from the same committee, also reported in favor of the passage of the last named bill, which report was agreed to, and said bill ordered to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"Concurrent resolution proposing an amendment to section 6 of article 3 of the constitution."

"An act to amend chapter 197 of the laws of 1864, entitled "An act to amend the several acts relating to taxes upon dogs, so far as relates to the county of Ontario, and providing for the extension of the provisions thereof to the several counties of the State, by resolution of the respective boards of supervisors."

"An act to further amend chapter 518 of the Laws of 1864, entitled 'An act to protect butter and cheese manufacturers.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Nelson, from said committee, reported progress on the above named concurrent resolution, and asked and obtained leave to sit again.

Mr. Nelson, from the same committee, also reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Nelson from the same committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Thomson moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

By unanimous consent,

Mr. Holahan introduced a bill entitled "An act to amend chapter 175 of the laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,' passed April 11, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

Senate, "An act to authorize the village of Richfield Springs, in the county of Otsego, to refund its funded debt."

"Concurrent resolution proposing an amendment to section 6 of article 10 of the constitution."

Senate, "An act to authorize the town of Otsego, in the county of Otsego, to issue bonds to redeem and pay the bonds issued by said town in aid of the Cooperstown and Susquehanna Valley Railroad Company by virtue of chapter 758 of the Laws of 1865, and by virtue of chapter 422 of the Laws of 1867."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Neilson, from said committee, reported in favor of the passage of the first and last named bills, with amendments, which report was agreed to, and the same ordered to a third reading.

Mr. Neilson, from the same committee, also reported progress on the above named concurrent resolution, and asked and obtained leave to sit again.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act in relation to arrears of taxes in the city of New York, and to provide for the reissuing of revenue bonds in anticipation of such taxes."

"An act in relation to the journals of the Senate and Assembly."

"An act to amend the act entitled 'An act concerning the police life insurance fund, and the powers and duties of the police department of the city of New York,' chapter 126 of the Laws of 1871."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Berrigan, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Berrigan, from the same committee, also reported in favor of the passage of the two last named bills, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Thomson, and at 10 o'clock and 10 minutes, the House adjourned.

TUESDAY, MARCH 12, 1878.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Brooks offered, for the consideration of the House, a resolution in the words following :

Resolved (if the Senate concur), That a special committee of five persons be appointed, with power to send for persons and papers, and to employ a stenographer, whose duty it shall be to investigate the abuse alleged to exist in the management of the railroads chartered by this State, and to inquire into and report concerning their powers, contracts and obligations ; said committee to take testimony in the city of New York and such other places as they may deem necessary, and to report to the Legislature either at the present or the next session, by bill or otherwise, what, if any, legislation is necessary to protect and extend the commerce of the State.

Ordered, That said resolution be laid upon the table.

This being the day assigned, under the rule, for the consideration of general orders,

The House resolved itself into a committee of the whole on the concurrent resolutions and bill entitled as follows :

“Concurrent resolution proposing an amendment to section 6 of article 10 of the Constitution.”

“An act to amend chapter 555 of the Laws of 1864, entitled ‘An act to consolidate the general acts relating to public instruction.’”

“Concurrent resolution proposing an amendment to section 6 of article 3 of the Constitution.”

Mr. Skinner moved to recommit said first named resolution to the committee on the judiciary, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Astor, from said committee, reported progress on last named resolution, and asked and obtained leave to sit again.

Mr. Astor, from the same committee, also reported in favor of the passage of the above named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said concurrent resolution, and that the amendment offered by him in the committee of the whole, to insert “one thousand dollars” instead of “seven hundred and fifty dollars,” be inserted in said concurrent resolution, and said concurrent resolution, as amended, be ordered to a third reading.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, “Shall the main question be now put ?” and it was decided in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion, and it was determined in the affirmative, as follows :

AYES 55.

NOES 51.

Those who voted in the affirmative, were

ABBOTT	CORMACK	LOWING	CICERO C. PECK	SKINNER
ALVORD	CRANDALL	MATTISON	D. C. PECK	E. TAYLOR
ANDREWS	DEYOE	MEAD	PEEK	THOMSON
BERRY	GRIGGS	MEKEEL	PRESCOTT	TOWNSLEY
BROOKS	HALLIDAY	J. H. MILLER	REYNOLDS	VALENTINE
BRUNDAGE	HAVENS	MOORE	ROBERTS	WADSWORTH
CASE	HOLBROOK	NEILSON	ROWLAND	WILBOR
CHASE	HURD	NELSON	SAWYER	WILLERS
CLAPP	KEATOR	NOYES	SEWELL	WILLIAMS
J. M. CLARK	KELLOGG	PALMER	SHEARD	WILLIS
CONVERSE	LOVELAND	PATTENGILL	SHELDON	WINCH

Those who voted in the negative, were

ALLEN	DALY	GRAHAM	KEEGAN	PROPER
ASTOR	DAY	HAMILTON	LANGNER	PURDY
BAKER	DOUGLASS	I. I. HAYES	MAPES	SEARING
BATHE	FISH	J. HAYES	MCDONOUGH	SHANLEY
BEARD	FLOYD-JONES	HENRY	S. V. R. MILLER	SLITER
BERRIGAN	FLYNN	HOBBIE	MEYENBORG	STORY
BROWNING	FOSTER	HOLAHAN	NIVEN	STRACK
CLANCY	FRANK	HOYT	PARKER	THAIN
J. CLARK	GALVIN	HULME	PIPER	WARING
CRAWFORD	GRADY	JONES	POOL	WEMPLE
CURRAN				

Said resolution was ordered engrossed and to a third reading.

Leave of absence was granted to Mr. Seebacher.

Mr. I. I. Hayes offered, for the consideration of the House, a privileged resolution in the words following :

Resolved, That the use of the Assembly chamber on Thursday evening, the 14th instant, be granted to Professor James Hall, State Geologist, for a lecture by him on the objects and condition of the geological survey, and of the State Museum of Natural History.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Brooks offered, for the consideration of the House, a preamble and resolution in the words following :

Whereas, It has been stated that the police department of the city of New York has in its possession certain unexpended balances of appropriations made in years previous to 1878, under the head of "Police Fund" and "Cleaning Streets under Police Department"; therefore

Resolved, That the police department of the city of New York be and is hereby directed, within five days from this date, to transmit to the Assembly :

1. A detailed statement of the amount received from the comptroller of said city on monthly requisitions for the appropriations to that department for the five years prior to 1878.

2. A detailed statement of the amount of unexpended balances of appropriations, if any, under the head of "Police Fund" and "Cleaning Streets under Police Department," at the end of each year; the amount under each head returned to and deposited in the city treasury, and for what reason; and also the amount of unexpended balances for each year now remaining in the possession of the said department,

3. A statement of the amount of appropriations transferred from one account to another of said department, and the reasons and authority for such transfers, if any.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Brooks offered, for the consideration of the House, a preamble and resolution in the words following:

Whereas, By a resolution adopted on the 7th of March, the comptroller of the city of New York was directed to transmit to the Assembly, within five days, certain information relating to the finances of said city; and

Whereas, The "New York Times" of the 8th instant makes other assertions in regard to the finances of the city of New York, and additional information in relation thereto is desired; therefore

Resolved, That the comptroller be requested to embody in his answer to said resolution, and transmit the same within five days from this date to the Assembly:

1. A statement of the amount of deficits in the tax receipts for each of the last five years, if any, in excess of the amount added by the board of supervisors of the city and county of New York, to supply the estimated deficiencies in the actual product of the tax levies.

2. The amount of revenue bonds outstanding at the beginning of each of the last five years.

3. A detailed statement of unexpended balances credited to each account of the appropriations at the end of each of the last five years.

4. A detailed statement of the amount paid to the police department in each of the last five years upon monthly requisitions, on account of the appropriations to that department, and also of the amount of unexpended balances returned to and deposited in the city treasury by that department.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That the Governor be and he is hereby authorized and requested, in his discretion, to issue to the Albany Academy, upon the requisition of the principal of that academy, approved by the president of the board of trustees thereof, light cadet muskets and equipments in amount and kind as may be necessary for the purpose of military instruction, not exceeding one hundred and twenty-five; provided, however, that no military property be issued under this resolution unless security for the safe-keeping and return thereof be first given by the said Albany Academy; and provided, further, that in case of need by the State, at any time, of the property of the State so issued, the same may be demanded and received by the Governor.

Ordered, That said resolution be referred to the committee on militia.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act to amend the statutes in reference to the collection of taxes in the counties of Livingston, Montgomery and Oswego."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate sent for concurrence the bill entitled as follows:

"An act for the relief of the county treasurer of Cattaraugus county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. King, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CONVERSE	HALLIDAY	MOOERS	SEARING
ALVORD	CORMACK	HAVENS	MEYENBORG	SEWELL
ANDREWS	COSAD	I. I. HAYES	NIVEN	SHEARD
ASTOR	CRANDALL	HOBBIE	NOYES	SHELDON
BEARD	DALY	HOYT	PALMER	SKINNER
BERGEN	DEYOE	HULME	PARKER	SLITER
BERRIGAN	FISH	HURD	PATTENGILL	STORY
BERRY	FLOYD-JONES	JONES	CICERO C. PECK	THAIN
BROOKS	FLYNN	KEATOR	DEWITT C. PECK	THOMSON
BROWNING	FOSTER	LANGNER	PIPER	VALENTINE
BRUNDAGE	FRANK	LOVELAND	POOL	WADSWORTH
CASE	GALVIN	LOWING	PRESCOTT	WARING
CHASE	GILBERT	MATTISON	PURDY	WEMPLE
CLANCY	GRADY	MEKEEL	REYNOLDS	WILBOR
CLAPP	GRAHAM	J. H. MILLER	ROBERTS	WILLIAMS
J. M. CLARK	GRIGGS	S. V. R. MILLER	ROWLAND	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows :

"An act to legalize and confirm the election of officers for the village of Dundee, in the county of Yates."

Ordered, That the Clerk deliver the said bill to the Governor.

By unanimous consent,

Mr. Valentine, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Sessions, Int. No. 82, entitled "An act to repeal chapter 82 of the Laws of 1872, entitled 'An act to prevent the cutting of ice in Chautauqua lake,'" reported in favor of the passage of the same.

On motion of Mr. Parker, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOYT	NELSON	SHANLEY
ALLEN	CRANDALL	HULME	NELSON	SHEARD
ALVORD	DALY	HURD	NIVEN	SHELDON
ANDREWS	DAY	JONES	NOYES	SKINNER
BAKER	FISH	KEATOR	PARKER	SLITER
BATHE	FLOYD-JONES	KEEGAN	PATTENGILL	STORY
BERGEN	FLYNN	KELLOGG	CICERO C. PECK	STRACK
BERRIGAN	FOSTER	KERN	PIPER	E. TAYLOR
BERRY	FRANK	LANGNER	POOL	THAIN
BROOKS	GALVIN	LOVELAND	PRESCOTT	THOMSON

BROWNING	GRADY	LOWING	PROPER	VALENTINE
BRUNDGAE	GRAHAM	MAPES	REYNOLDS	WADSWORTH
CASE	HALLIDAY	MATTISON	ROBERTS	WARING
CHASE	HAVENS	MEKEEL	ROWLAND	WEMPLE
CLANCY	I. I. HAYES	J. H. MILLER	SAWYER	WILBOR
CLAPP	J. HAYES	S. V. R. MILLER	SEARING	WILLIAMS
CORMACK	HOBBIE	MOOERS	SEWELL	WILLIS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Havens offered, for the consideration of the House, a resolution in the words following :

Resolved (if the Senate concur), That the people of the State of New York, speaking through their representatives in the Legislature, do hereby protest to the honorable the Congress of the United States against the passage of the bill introduced by Senator Sargent, whereby it is proposed to transfer the control of the life-saving service on the seaboard and the lake coasts from the Treasury to the Navy Department, believing such transfer to be unjust to the officials who have brought said service to its present stage of efficiency ; unwise by reason of its necessarily damaging effect upon the crews, and inexpedient as substituting inexperienced and perhaps incompetent persons in the places of those who, by occupation and local experience, have become qualified to man the surf-boats and efficiently discharge the other duties of the service. We therefore request our representatives in senate and congress to oppose the transfer.

Ordered, That said resolution be laid upon the table.

Pursuant to the ninth joint rule, order of business third reading of bills.

The bill entitled "An act to change the commissioners' map of Long Island City, with respect to the intersection of Vernon avenue with Borden and Jackson avenues respectively," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HENRY	NIVEN	SHEARD
ALLEN	CURRAN	HOBBIE	NOYES	SHELDON
ANDREWS	DALY	HULME	PALMER	SKINNER
ASTOR	DAY	HURD	PARKER	SLITER
BAKER	DEYOE	JONES	CICERO C. PECK	E. TAYLOR
BATHE	FISH	KEATOR	DEWITT C. PECK	THOMSON
BEARD	FLOYD-JONES	KEEGAN	PEEK	VALENTINE
BERGEN	FOSTER	KELLOGG	POOL	WADSWORTH
BERRY	FRANK	LANGNER	PRESCOTT	WARING
BROOKS	GALVIN	LOVELAND	PURDY	WEMPLE
BROWNING	GILBERT	LOWING	REYNOLDS	WHEELER
CASE	GRADY	MAPES	ROBERTS	WILBOR
CHASE	GRAHAM	MATTISON	ROWLAND	WILLIAMS
CLANCY	HAMILTON	MEKEEL	SAWYER	WILLIS
CLAPP	HAVENS	MOOERS	SEARING	WINCH
CORMACK	I. I. HAYES	NELSON		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the formation of town insurance companies," was read a third time

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79. NOES 2.

Those who voted in the affirmative, were

ALVORD	CONVERSE	HOLBROOK	NIVEN	SHELDON
ANDREWS	CORMACK	HOYT	NOYES	SKINNER
ASTOR	CRANDALL	HULME	PALMER	SLITER
BATHE	CRAWFORD	HURD	PARKER	STRACK
BEARD	CURRAN	JONES	PATTENGILL	E. TAYLOR
BERGEN	DALY	KEATOR	POOL	THAIN
BERRIGAN	DAY	KEEGAN	PRESCOTT	VALENTINE
BERRY	DEYOE	KELLOGG	PURDY	WADSWORTH
BROWNING	FISH	KERN	REYNOLDS	WARING
BRUNDAGE	FLOYD-JONES	LANGNER	ROBERTS	WEMPLE
CASE	GALVIN	LOVELAND	ROWLAND	WILBOR
CHASE	GILBERT	LOWING	SAWYER	WILLERS
CLANCY	GRADY	MAPES	SEARING	WILLIAMS
CLAPP	HALLIDAY	MATTISON	SEWELL	WILLIS
J. CLARK	HAMILTON	MEKEEL	SHANLEY	WINCH
J. M. CLARK	HAVENS	S. V. R. MILLER	SHEARD	

Those who voted in the negative, were

BROOKS THOMSON

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to create a board of park commissioners, and to provide for the care, government, protection and improvement of the public park known as Ross park, in the city of Binghamton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HULME	NELSON	SEWELL
ANDREWS	CURRAN	HURD	NIVEN	SHANLEY
ASTOR	DALY	JONES	NOYES	SHEARD
BAKER	DAY	KEATOR	PALMER	SHELDON
BEARD	DEYOE	KEEGAN	PARKER	SKINNER
BERRIGAN	FISH	KELLOGG	CICERO C. PECK	E. TAYLOR
BERRY	FLOYD-JONES	KERN	PEEK	THAIN
BROWNING	GALVIN	LANGNER	PIPER	THOMSON
BRUNDAGE	GILBERT	LOVELAND	POOL	VALENTINE
CHASE	GRADY	MAPES	PRESCOTT	WADSWORTH
CLANCY	GRAHAM	MATTISON	PROPER	WEMPLE
CLAPP	HALLIDAY	MEAD	REYNOLDS	WILBOR
J. CLARK	HAMILTON	MEKEEL	ROBERTS	WILLERS
CONVERSE	HAVENS	S. V. R. MILLER	ROWLAND	WILLIS
CORMACK	HOLBROOK	MOOERS	SAWYER	WINCH
CRANDALL	HOYT	MEYENBORG	SEARING	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable the Home for Incurables to take and hold real estate to the amount of two hundred and fifty thousand dollars in value," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HULME	NIVEN	SHELDON
ANDREWS	DALY	HURD	NOYES	SKINNER
ASTOR	DEYOE	JONES	PALMER	SLITER
BAKER	FISH	KEATOR	PARKER	STORY
BATHE	FLOYD-JONES	KELLOGG	PATTENGILL	E. TAYLOR
BERGEN	FLYNN	KERN	POOL	THAIN
BERRIGAN	GALVIN	LANGNER	PRESCOTT	THOMSON
BERRY	GILBERT	LOVELAND	PROPER	VALENTINE
BROWNING	GRADY	LOWING	ROBERTS	WADSWORTH
BRUNDAGE	GRAHAM	MEKEEL	ROWLAND	WEMPLE
CHASE	HALLIDAY	J. H. MILLER	SAWYER	WHEELER
CLAPP	HAMILTON	S. V. R. MILLER	SEARING	WILBOR
J. M. CLARK	HAVENS	MOOERS	SEWELL	WILLIAMS
CONVERSE	HOBBIE	MEYENBORG	SHANLEY	WILLIS
CORMACK	HOLBROOK	NEILSON	SHEARD	WINCH
CRANDALL	HOYT	NELSON		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 249 of the Laws of 1857, entitled 'An act to amend an act entitled An act to incorporate the American Female Guardian Society,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 76.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRANDALL	HULME	NIVEN	SHELDON
ALVORD	CURRAN	JONES	NOYES	SKINNER
ASTOR	DALY	KEATOR	PALMER	SLITER
BAKER	DAY	KELLOGG	PARKER	E. TAYLOR
BEARD	FISH	KERN	CICERO C. PECK	THAIN
BERGEN	FLOYD-JONES	LANGNER	DEWITT C. PECK	THOMSON
BERRIGAN	FOSTER	LOVELAND	PIPER	TOWNSLEY
BERRY	GALVIN	LOWING	POOL	VALENTINE
BROOKS	GILBERT	MAPES	PRESCOTT	WADSWORTH
BRUNDAGE	GRAHAM	MEAD	REYNOLDS	WEMPLE
CHASE	HAMILTON	J. H. MILLER	ROWLAND	WILBOR
CLAPP	HAVENS	S. V. R. MILLER	SAWYER	WILLIS
J. M. CLARK	I. I. HAYES	MOOERS	SEWELL	WILLIAMS
CONVERSE	HOBBIE	MEYENBORG	SHANLEY	WILLIS
CORMACK	HOLBROOK	NEILSON	SHEARD	WINCH
COSAD				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the Military Record Fund, and to provide for the refunding of moneys contributed by towns and cities of this State, and by individuals, for the erection of a hall of Military Record," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	J. CLARK	HURD	PARKER	SLITER
ALLEN	J. M. CLARK	JONES	DEWITT C. PECK	E. TAYLOR
ALVORD	CONVERSE	KEATOR	PIPER	THAIN
ANDREWS	CORMACK	KEEGAN	POOL	THOMSON
ASTOR	CRANDALL	KELLOGG	PRESCOTT	TOWNSLEY
BATHE	DALY	KERN	REYNOLDS	VALENTINE
BEARD	DAY	LANGNER	ROBERTS	WADSWORTH
BERGEN	FISH	LOWING	ROWLAND	WARING
BERRIGAN	FLOYD-JONES	MATTISON	SAWYER	WEMPLE
BERRY	FOSTER	MEKEEL	SEARING	WILBOR
BROOKS	GALVIN	S. V. R. MILLER	SEWELL	WILLERS
BROWNING	HAMILTON	MOOERS	SHANLEY	WILLIAMS
BRUNDAGE	HAVENS	MEYENBORG	SHEARD	WILLIS
CHASE	I. I. HAYES	NEILSON	SHELDON	WINCH
CLANCY	HOLBROOK	NIVEN	SKINNER	WORTH
CLAPP	HOYT	PALMER		

For the negative,

CRAWFORD

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1 of chapter 73 of the Laws of 1875, entitled 'An act to establish specie payments on all contracts or obligations payable in this State in dollars, and made after January 1, 1879,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 4.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HALLIDAY	MATTISON	PURDY
ALLEN	CORMACK	HAMILTON	MCDONOUGH	REYNOLDS
ALVORD	COSAD	HAVENS	MEKEEL	ROBERTS
ANDREWS	CRANDALL	I. I. HAYES	J. H. MILLER	ROWLAND
BAKER	CURRAN	HOBBIE	S. V. R. MILLER	SEARING
BATHE	DALY	HOLBROOK	MOOERS	SHANLEY
BEARD	DAY	HOYT	MEYENBORG	STRACK
BERGEN	DEYOE	HURD	NIVEN	E. TAYLOR
BERRIGAN	DOUGLASS	JONES	PALMER	THAIN
BERRY	FISH	KEATOR	PARKER	THOMSON
BROWNING	FLOYD-JONES	KELLOGG	PATTENGILL	WADSWORTH
CASE	FLYNN	KERN	CICERO C. PECK	WEMPLE
CHASE	FOSTER	LANGNER	DEWITT C. PECK	WILBOR
CLANCY	FRANK	LOVELAND	PIPER	WILLERS
CLAPP	GILBERT	LOWING	PRESCOTT	WILLIS
J. CLARK	GRADY	MAPES	PROPER	WINCH
J. M. CLARK	GRAHAM			

Those who voted in the negative, were

HULME SHEARD SHELDON SKINNER

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for changing the term of office of supervisors in the several towns of Erie county biennially," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CORMACK	I. I. HAYES	J. H. MILLER	SEARING
ALLEN	COSAD	HENRY	S. V. R. MILLER	SEWELL
ALVORD	CURRAN	HOBBIE	MOOERS	SHEARD
ANDREWS	DALY	HOLBROOK	MEYENBORG	SHELDON
BAKER	DAY	HOYT	NIVEN	SKINNER
BEARD	DEYOE	HURD	NOYES	STORY
BERGEN	FISH	JONES	PALMER	STRACK
BERRIGAN	FLOYD-JONES	KELLOGG	PARKER	THAIN
BERRY	FOSTER	LANGNER	PATTENGILL	THOMSON
BROOKS	FRANK	LOVELAND	PATTERSON	VALENTINE
BROWNING	GALVIN	LOWING	CICERO C. PECK	WADSWORTH
BRUNDAGE	GILBERT	MAPES	DEWITT C. PECK	WEMPLE
CASE	GRADY	MATTISON	PEEK	WILBOR
CHASE	HALLIDAY	MCDONOUGH	PURDY	WILLIAMS
CLAPP	HAMILTON	MEAD	REYNOLDS	WILLIS
J. CLARK	HAVENS	MEKEEL	ROWLAND	WINCH

For the negative,

PRESCOTT

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Bergen, the privileges of the floor were granted to the Hon. George Fisher.

The Senate bill entitled "An act to amend chapter 820 of the Laws of 1873, entitled 'An act to amend an act entitled An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," having been announced for a third reading,

On motion of Mr. Gilbert, and by unanimous consent, said bill was recommitted to the committee on internal affairs, retaining its place on the order of third reading of bills.

The bill entitled "An act to amend title 4 of chapter 4 of part 2 of the Revised Statutes, relating to accumulations of personal property, and of expectant estates in such property," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOYT	NIVEN	SEWELL
ALLEN	DALY	HULME	NOYES	SHANLEY
ALVORD	DAY	HURD	PALMER	SHEARD
BAKER	DEYOE	JONES	PARKER	SHELDON
BATHE	FISH	KEATOR	PATTENGILL	SKINNER
BEARD	FLOYD-JONES	KERGAN	CICERO C. PECK	SLITER
BERGEN	FLYNN	KELLOGG	DEWITT C. PECK	STORY
BERRIGAN	FOSTER	KERN	PEEK	STRACK

BERRY	GALVIN	LANGNER	PIPER	E. TAYLOR
BROOKS	GILBERT	LOVELAND	POOL	THOMSON
BROWNING	GRADY	LOWING	PRESCOTT	VALENTINE
CASE	GRAHAM	MAPES	PURDY	WADSWORTH
CHASE	HALLIDAY	MEAD	REYNOLDS	WEMPLE
CLAPP	HAMILTON	J. H. MILLER	ROBERTS	WILBOR
J. M. CLARK	I. I. HAYES	MOOERS	ROWLAND	WILLERS
CORMACK	HOBBIE	MEYENBORG	SEARING	WILLIAMS
CRANDALL	HOLBROOK			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Clerk appointed Ernest S. Ames as messenger in place of Frederick R. Ames, resigned.

On motion of Mr. Alvord, and at 1 o'clock and 55 minutes, the House took a recess until 7½ o'clock this evening.

HALF-PAST SEVEN O'CLOCK, P. M.

The House again met.

Mr. Speaker announced the special order of the day, being the Assembly concurrent resolutions proposing an amendment to article 7 of the Constitution.

The House then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the concurrent resolution entitled as follows :

“Concurrent resolution proposing amendment to article 7 of the Constitution.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bergen, from said committee, reported progress on the said named concurrent resolution, and asked and obtained leave to sit again.

On motion of Mr. Alvord, and at 9 o'clock and 36 minutes, the House adjourned.

WEDNESDAY, MARCH 13, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Edwin Coan.

The journal of yesterday was read and approved.

Mr. Speaker presented a communication in the words following :

To the Hon. JAMES W. HUSTED, *Speaker of the Assembly* :

ASSEMBLY CHAMBER,
ALBANY, N. Y., *March 8, 1878.* }

STATE OF NEW YORK, }
City and County of Albany, } ss.:

Edward Ham, of Albany, being duly sworn, deposes and says, that he heard the language attributed to him, as recited this day by Mr. Kern, toward the latter, which Mr. Kern obtained from Mr. Bergen, and deponent denies that the said language was directed toward or was intended to apply to Mr. Kern or any other member; on the contrary,

deponent avers that the same was intended, at the time, to apply to a member of the "*Third House*," commonly known as the lobby. Depo-
nent feels that this affidavit and action is due from himself toward many
members who may have been actuated by the theory that the words
were used toward Mr. Kern. And further deponent saith not.

EDWARD HAM.

Sworn to before me, this 8th }
day of March, 1878. - }

JOHN W. KIERNAN, *Notary Public, Albany, N. Y.*

The Speaker and Clerk, with consent of the Assembly, referred the
following entitled bills to the sub-committee of the whole:

G. O. 233, No. 203. "An act to authorize the New York Protestant
Episcopal public school to mortgage real estate in the Nineteenth ward
of the city of New York."

G. O. 227, No. 197. "An act to amend chapter 325 of the Laws of 1874,
entitled 'An act to incorporate the village of Bath-on-the-Hudson, Rens-
selaer county, New York, passed May 5, 1874, and the act amendatory
thereof, being chapter 284 of the Laws of 1876, entitled An act to amend
chapter 325 of the Laws of 1874, entitled An act to incorporate the vil-
lage of Bath-on-the-Hudson, Rensselaer county, New York, passed May
5, 1874,' passed May 15, 1876."

G. O. 226, No. 196. "An act to amend chapter 624 of the Laws of
1874, entitled 'An act to amend the several acts incorporating the village
of Oswego Falls, passed June 9, 1874, and to amend chapter 213 of the
Laws of 1866, entitled An act to incorporate the village of Oswego Falls,'
passed March 22, 1866."

G. O. 214, No. 189. "An act to protect the seaside boulevard and
meadows adjacent thereto on the south shore of Staten Island, and to
prevent the same from being injured or overflowed by the waters of the
bay of New York."

G. O. 206, No. 182. "An act to change the name of the Union Free
School district No. 1 of the town of Clarence."

G. O. 205, No. 181. "An act to reduce the number composing the board
of education of Gowanda Union Free School, district No. 1, composed of
parts of the towns of Persia and Perrysburgh, in Cattaraugus county,
and of a part of the town of Collins, in Erie county."

G. O. 203, No. 179. "An act to authorize the board of education of
Union Free School, district No. 2, of the town of Highlands, in the county
of Orange, to raise money for the purchase of a school-house and site."

G. O. 202, No. 178. "An act in regard to the Union Free School dis-
trict No. 1, in the village of Fort Edward, and to authorize the board of
education thereof to contract with the Fort Edward Collegiate Institute
for the use of certain rooms in said institute for school purposes, and for
the instruction of pupils therein."

G. O. 198, No. 176, "An act to amend chapter 702 of the Laws of
1870, entitled 'An act to amend the charter of Little Falls,' passed May
6th, 1870."

G. O. 193, No. 171, "An act to create a board of alms, and to secure
the better application of funds to relieve the poor in the town of German
Flats, in the county of Herkimer."

G. O. 186, No. 164, "An act authorizing the town of New Lots, in the
county of Kings, to issue bonds to the amount of ten thousand dollars,

to refund or pay a like amount of bonds issued by said town for the erection of a town house in pursuance of chapter 281 of the Laws of 1872."

G. O. 179, No. 157, "An act to amend an act entitled 'An act authorizing the trustees of the village of Ballston Spa to issue bonds to be known as 'extended water bonds,' to pay a portion of the water bonds now outstanding of said village, maturing in the year 1877 and thereafter," being chapter 100 of the Laws of 1877.

G. O. 171, No. 151, "An act to amend an act entitled 'An act to incorporate the Hall Association of the Order of der Freiheit of the city of Buffalo,' passed April 11th, 1870."

G. O. 166, No. 147, "An act in relation to the keeping open of certain public offices in the county of Westchester."

G. O. 129, No. 112, "An act to amend an act entitled 'An act amending and revising and consolidating the several acts in relation to the village of Greenbush, passed March 22d, 1854, and April 29th, 1863, passed April 25th, 1871,' passed April 26th, 1876."

G. O. 46, No. 38, "An act to amend chapter 348 of the Laws of 1876, entitled 'An act to amend section 32, part first, title 1, article 3, chapter 16 of the Revised Statutes.'"

G. O. 65, No. 55, "An act to provide for the sanitary inspection of common schools and school buildings in the city and county of New York."

G. O. 239, No. 209, "An act to establish the compensation of the county judge and the surrogate of Saratoga county, pursuant to the 15th section of the amended 6th article of the Constitution."

Senate, G. O. 201, No. 26, "An act to amend chapter 69 of the Laws of 1873, entitled 'An act requiring commissioners of highways to give notice of the discontinuance of public highways.'"

Senate, G. O. 200, No. 25, "An act to amend sections 81 and 82 of article 4, title first of part first of chapter 16 of the Revised Statutes."

Senate, G. O. 170, No. 24, "An act to amend chapter 194 of the Laws of 1873, entitled 'An act to continue in force and amend chapter 138 of the Laws of 1852, entitled 'An act to incorporate the firemen of the city of Utica as a benevolent association.'"

Senate, G. O. 124, No. 16, "An act to amend section 69 of article 8th, title 8th, chapter 20th, part first of the Revised Statutes, and section 7 of title 1, chapter 3, part 3 of the Revised Statutes."

Senate, G. O. 157, No. 27, "An act to amend chapter 147 of the Laws of 1864, entitled 'An act to provide for the erection of a town hall in the town of Jamaica, in the county of Queens.'"

G. O. 234, No. 204, "An act to extend the jail limits of Orange county."

G. O. 236, No. 206, "An act to legalize the acts of Miles H. Bergen, as notary public."

Senate, G. O. 221, No. 57, "An act to amend chapter 467 of the Laws of 1865, entitled 'An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2d, 1864.'"

Senate, G. O. 219, No. 8, "An act for the relief of the Buffalo Eye and Ear Infirmary."

Senate G. O. 218, No. 71, "An act to amend chapter 308 of the Laws of 1854, entitled 'An act relative to the New York Baptist Union for Ministerial Education.'"

Senate, G. O. 217, No. 73, "An act to amend chapter 225 of the Laws

of 1851, entitled 'An act to incorporate the Ladies' Union Aid Society of the Methodist Episcopal Church in the city of New York.'

Senate, G. O. 148, No. 56, "An act to amend chapter 30 of the Laws of 1873, entitled 'An act to create a board of charities in and for the city of Utica.'"

Senate, G. O. 122, No. 78, "An act requiring justices of the peace to give bonds."

Senate, G. O. 243, No. 65, "An act to provide for the review and correction of illegal, erroneous and unequal assessments."

Senate, G. O. 273, No. 100, "An act to incorporate the American Jersey Cattle Club, for improving the breeding of Jersey cattle in the United States."

Senate, G. O. 242, No. 92, "An act to confirm the official acts of Samuel H. Case, John M. Watkins and William W. Snow, commissioners of excise in and for the town of Oneonta, in the county of Otsego."

On motion of Mr. Alvord, the Assembly bill, entitled "An act to empower Greenfield Center Lodge No. 308 of the Independent Order of Odd Fellows of the State of New York, town of Greenfield and county of Saratoga, to hold and convey real and personal estate, and constitute the same a corporation," was committed to the committee on general laws, retaining its place on general orders.

Mr. Beard introduced a bill entitled "An act to amend chapter 401 of the Laws of 1877, entitled 'An act to amend chapter 767 of the Laws of 1872, entitled An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Langner introduced a bill entitled "An act to release and convey the interest of the people of the State of New York of, in and to certain real estate situated in the town of Grand Island, county of Erie, State of New York, to Leopold Mullenhoff," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the petitions of aliens.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Bergen introduced a bill entitled "An act in relation to life insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Flynn introduced a bill entitled "An act to provide for a ferry landing in the Fourteenth ward of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Thain introduced a bill entitled "An act providing for the appearance of counsel in certain criminal proceedings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McDonough introduced a bill entitled "An act to amend section 2 of the act entitled 'An act to regulate places of public amusement in the cities and incorporated villages of this State,' passed April 17, 1862,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to release the interest of the people of the State of New York in and to certain real estate in the city of New York, of which Peter W. Duncan or Eliza Kelly, or both of said persons, died seized and possessed, to the persons who, according to the statutes of this State, would answer the description of heirs-at-law of such deceased persons, whether they were citizens or aliens at the time of the death of said Peter W. Duncan or Eliza Kelly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the petitions of aliens.

Mr. Cosad introduced a bill entitled "An act to confirm the election of officers for the village of Phelps, Ontario county," which was read the first time, and by unanimous consent, was also read the second time.

Also presented a petition on the same subject.

On motion of Mr. Cosad, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	NEILSON	SEARING
ALLEN	COSAD	HOLBROOK	NELSON	SKINNER
ALVORD	CRANDALL	HOYT	NIVEN	STORY
ANDREWS	CROWLEY	HULME	NOYES	STRACK
ASTOR	DALY	JONES	PALMER	SUTHERLAND
BAKER	DAY	KEATOR	PARKER	E. TAYLOR
BEARD	DEYOE	KEEGAN	PATTENGILL	J. T. TAYLOR
BERRIGAN	FISH	KELLOGG	CICERO C. PECK	THAIN
BERRY	FITZGERALD	KERN	PEEK	TOWNSLEY
BOUCK	FLOYD-JONES	KING	PIPER	VALENTINE
BROOKS	FLYNN	LOWING	POOL	WARING
BROWNING	FOSTER	MATTISON	PRESCOTT	WEMPLE
BRUNDAGE	GILBERT	MEKEEL	PROPER	WILBOR
CHASE	GRIGGS	J. H. MILLER	REYNOLDS	WILLERS
CLAPP	HALLIDAY	MOOERS	ROBERTS	WILLIS
J. M. CLARK	HAMILTON	MEYENBORG	ROWLAND	WINCH
CONVERSE	HAVENS			

For the negative,

THOMSON

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Case introduced a bill entitled "An act in relation to the adoption of children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brooks introduced a bill entitled "An act for the erection of a new town from parts of the towns of Middletown and Southfield, in the county of Richmond, to be called the town of Richmond, and for the apportionment of the indebtedness of said towns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on civil divisions.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Mekeel introduced a bill entitled "An act conferring additional powers upon the board of trustees of the village of Havana, county of Schuyler," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

Mr. Willers introduced a bill entitled "An act to confer additional powers upon corporations organized under chapter 438, Laws of 1862, entitled "An act to provide for the formation of societies for the prevention of horse stealing," and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. King introduced a bill entitled "An act to authorize the trustee of School district No. 2 of the town of Hinsdale to lease the upper story of the district school-house to the town of Hinsdale for a town hall and other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Nelson introduced a bill entitled "An act to provide for a special election in the Second ward of the village of West Troy for president, collector, and treasurer of said village, and for trustee and constable of said ward, and to define certain of the powers of the officers of such village prior to such election," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Nelson, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 57.

NOES 5.

Those who voted in the affirmative, were

ALLEN	COSAD	HOLAHAN	S. V. R. MILLER	PURDY
ALVORD	CRANDALL	HOYT	MOERS	ROBERTS
ANDREWS	CROWLEY	KEEGAN	NELSON	SHEARD
BAKER	DAY	KELLOGG	PALMER	STRACK
BATHE	FOSTER	KING	PARKER	SUTHERLAND
BERRIGAN	FRANK	LOWING	PATTENGILL	THAIN
BERRY	GALVIN	MATTISON	PEEK	TOWNSLEY
BOUCK	GRIGGS	MCDONOUGH	PIPER	WARING
BROOKS	HAMILTON	MEAD	POOL	WEMPLE
CHASE	HENRY	MEKEEL	PRESCOTT	WILBOR
CONVERSE	HEPBURN	J. H. MILLER	PROPER	WILLIS
CORMACK	HOBBIE			

Those who voted in the negative, were

BEARD	FISH	JONES	SKINNER	THOMSON
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Mr. Nelson moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

Mr. Wakely introduced a bill entitled "An act to legalize the acts and proceedings of David P. Brooks, a justice of the peace of the town of Hume, Allegany county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord, from the committee on ways and means, reported a bill

entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Alvord, and by unanimous consent, said bill was recommitted to the committee on ways and means, retaining its place on general orders.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Thain, Int. No. 356, entitled "An act for the better security of personal liberty," reported adversely thereto, which report was agreed to.

Mr. Thain moved to lay said report upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Loveland, Int. No. 393, entitled "An act for the better protection and preservation of the records and documents in county clerks' offices," reported adversely thereto.

Mr. Thain moved that said bill be recommitted to the committee on the judiciary.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Thain, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Worth in the chair.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Crandall, Int. No. 566, entitled "An act to amend chapter 135 of the Laws of 1876, entitled 'An act to authorize plankroad and turnpike road companies formed under and by virtue of an act entitled 'An act to provide for the incorporation of companies to construct plankroads, and of companies to construct turnpike roads,' passed May 7, 1847, to extend their charter or corporate existence,'" reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mapes, Int. No. 521, entitled "An act to assert the sovereignty of the people of the State of New York, and to require of all corporations doing business as common carriers, under the laws thereof, free, first-class passage for officers and members of the Legislature," reported adversely thereto.

Mr. Mapes moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Noyes, Int. No. 111, entitled "An act to provide for the payment of the expenses incurred in trials of convicts for crimes committed in the State prisons, and for the management of such trials," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Hughes, Int. No. 83, entitled "An act to amend chapter 235 of the Laws of 1860, entitled 'An act to amend an act entitled An act to amend the act entitled An act to provide for the incorporation of religious societies, passed April 5, 1813, and the several acts amendatory thereof,' passed March 30, 1850," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on insurance, reported a bill entitled "An act to provide for maintaining the solvency of life insurance companies, and protecting the rights of policyholders," reported in favor of the passage of the same, which report was agreed to, and said bill was committed to the committee of the whole.

(Mr. Keegan dissenting.)

Mr. Fish, from the committee on affairs of cities, reported the bill entitled "An act to provide for the collection and payment of the assessment for the improvement of a public highway or avenue from Prospect park, in the city of Brooklyn, towards Coney Island, in the county of Kings, known as the Ocean parkway, laid out and improved pursuant to chapter 861 of the Laws of 1869, as amended by chapter 726 of the Laws of 1872," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(Messrs. Waring and Worth dissenting.)

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Strack, Int. No. 189, entitled "An act relating to the board of county canvassers of the city and county of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred back the bill introduced by Mr. Peek, Int. No. 340, entitled "An act to amend chapter 505 of the Laws of 1873, entitled 'An act to reorganize the village of Gloversville,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Pattengill, Int. No. 526, entitled "An act changing the name of the Eagle Fire Engine and Hose Company No. 1, of Butternuts," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Floyd-Jones, Int. No. 523, entitled "An act further to amend chapter 510 of the Laws of 1869, entitled 'An act to amend an act entitled An act to incorporate the village of Flushing,' passed April 15, 1837, and the several acts amendatory thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Parker, from the committee on the petitions of aliens, to which was referred the bill introduced by Mr. Foster, Int. No. 511, entitled "An act to release certain lands, which have escheated to the State, to Louisa Hanneder, widow of Joseph Hanneder, late of the city of Albany.

New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Parker, from the committee on the petitions of aliens, to which was referred the Senate bill introduced by Mr. Wagstaff, Int. No. 84, entitled "An act to release certain interests of the State in the real estate of which Frederick Tornquest, otherwise known as Frederick John Tornquest, late of the city, county and State of New York, died seized, to Annie Tornquest, his widow," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Berry, Int. No. 439, entitled "An act to amend chapter 184, Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious Society of Friends,' passed April 17, 1839" reported the same for the consideration of the House, and the same was committed to the committee of the whole.

Mr. Speaker resumed the chair.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 477 of the Laws of 1875, entitled 'An act to amend an act entitled An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871; and also an act to re-enact and amend the same, passed April 6, 1871; also, to extend the distribution of Croton water through the city of New York, including the two new wards, and to lay the necessary mains therefor, and to deliver it at higher elevation,' passed May 28, 1875."

"An act to amend an 'Act to provide for a uniform system for the repavement of streets, avenues and public places in the city of New York,' passed May 28, 1875."

"An act in relation to the office of railroad commissioners in Ulster county."

"An act to repeal all acts and parts of acts relating to the preservation and protection of fish in the waters of Silver Lake, in the county of Wyoming."

"An act to amend chapter 197 of the Laws of 1864, entitled 'An act to amend the several acts relating to taxes upon dogs, so far as relate to the county of Ontario, and providing for the extension of the provisions thereof to the several counties of the State, by resolution of the respective boards of supervisors.'"

"An act in relation to arrears of taxes in the city of New York, and to provide for the reissuing of revenue bonds in anticipation of such taxes."

"An act in relation to the journals of the Senate and Assembly."

"An act to amend chapter 126 of the Laws of 1871, entitled 'An act concerning the police life insurance fund, and the powers and duties of the police department of the city of New York.'"

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to consolidate the general acts relating to public instruction.'"

"Concurrent resolution proposing an amendment to section 6 of article 3 of the Constitution."

Mr. Brooks moved that all orders of business be laid upon the table for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Messrs. Parker, Cosad, Wakely and Mattison presented petitions of members of the Ancient Order of United Workmen for an amendment to their charter; which were read and referred to the committee on general laws.

Messrs. Wakely and Converse presented petitions against any modification of the excise laws; which were read and referred to the committee on internal affairs.

Messrs. S. V. R. Miller and Wakely presented petitions in favor of a modification of the excise laws; which were read and referred to the committee on internal affairs.

Messrs. Williams, Winch and Jones presented petitions for an amendment to the assessment laws; which were read and referred to the committee on ways and means.

Messrs. Holbrook and Baker presented a memorial of several ladies praying for the right of suffrage; which was read and referred to the committee on the judiciary.

Messrs. Williams and Willers presented petitions for a law authorizing the formation of companies to insure property on the basis of mutual obligations; which were read and referred to the committee on insurance.

Messrs. Wakely and Willers presented petitions for the passage of a law creating a board of railroad commissioners; which were read and referred to the committee on railroads.

Mr. D. W. C. Peck presented a petition of citizens of Oswego county for the repeal of the law in relation to hawkers and peddlers; which was read and referred to the committee on trade and manufactures.

Mr. I. I. Hayes presented a petition of citizens of New York county in favor of abolishing county jails as prisons for convicts, and using the same as houses of detention only; which was read and referred to the committee on state prisons.

Mr. Sewell presented a petition of citizens of Deposit for the repeal of the law authorizing academic departments in union schools; which was read and referred to the committee on public education.

Mr. Halliday presented a resolution of the board of supervisors of Tompkins county in favor of the passage of a law conferring upon boards of supervisors the power to fix the compensation of court stenographers; which was read and referred to the committee on general laws.

Mr. Halliday offered, for the consideration of the House, a resolution in the words following:

Whereas, It is understood and believed that a large number of individuals and corporations are encroaching and trespassing upon the canal lands of the State; therefore,

Resolved, That the Auditor of the Canal Department be requested to report to this House, within ten days, any information he may have in regard to any such encroachments or trespasses.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Brooks moved that all orders of business be laid upon the table for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof, as follows:

AYES 71.

NOES 31.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HAMILTON	McDONOUGH	SHANLEY
ALLEN	CRAWFORD	HAVENS	MEKEEL	SHELDON
ANDREWS	CROWLEY	I. I. HAYES	MEYENBORG	SKINNER
BAKER	DAY	HENRY	NEILSON	SLITER
BATHE	DEYOE	HOLAHAN	NELSON	STRACK
BERRIGAN	DOUGLASS	HOYT	NIVEN	SUTHERLAND,
BOUCK	FISH	HURD	NOYES	E. TAYLOR
BROOKS	FITZGERALD	JONES	PALMER	J. T. TAYLOR
BROWNING	FLOYD-JONES	KEEGAN	PATTENGILL	THAIN
BRUNDAGE	FOSTER	KELLOGG	CICERO C. PECK	THOMSON
CHASE	FRANK	LANGNER	PIPER	TOWNSLEY
CLAPP	GALVIN	LOVELAND	PRESCOTT	WEMPLE
CONVERSE	GRADY	LOWING	PURDY	WILLERS
CORMACK	HALLIDAY	MATTISON	SEARING	WORTH
COSAD				

Those who voted in the negative, were

ALVORD	KEATOR	MOOERS	PROPER	WADSWORTH
BERGEN	KERN	NORTH	REYNOLDS	WAKELY
CASE	KING	PARKER	SEWELL	WILBOR
J. M. CLARK	MAPES	DEWITT C. PECK	SHEARD	WILLIAMS
GILBERT	J. H. MILLER	PEEK	STORY	WILLIS
HOBBIE	S. V. R. MILLER	POOL	VALENTINE	WINCH
HOLBROOK				

When the name of Mr. Waring was called, he stated that he was paired with Mr. Seebacher.

Mr. Speaker then announced the special order of the day, being the Assembly bill No. 184, entitled "An act to organize the Senate districts, and for the apportionment of the members of Assembly of this State."

The House then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows :

"An act to organize the Senate districts, and for the apportionment of the members of Assembly of this State."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fish, from said committee, reported progress on said named bill, and asked and obtained leave to sit again.

Mr. Alvord moved that said bill be made a special order for to-morrow morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Bergen offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill, G. O. 282, Int. No. 492, entitled "An act to provide for the collection and payment of the assessment for the improvement of a public highway or avenue from Prospect park, in the city of Brooklyn, toward Coney Island, in the county of Kings, known as Ocean parkway, laid out and improved pursuant to chapter 861, Laws of 1869," be and is hereby ordered to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

On motion of Mr. Prescott, and by unanimous consent, twenty days more time was granted to the committee on railroads, in reference to the investigating of the coal monopoly.

Mr. Fish moved to take from the table the adverse report of the committee on affairs of cities, in the following words:

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Moller, Int. No. 452, entitled "An act to amend chapter 35 of the Laws of 1873, entitled 'An act to re-enact and amend an act entitled 'An act to incorporate the city of Yonkers, passed June 1, 1872,' passed February 28, 1873, and the several acts amendatory thereof," reported adversely thereto.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

On motion of Mr. Fish, said report was laid on the table.

Said bill was then committed to the committee of the whole.

On motion of Mr. Fish, and by unanimous consent, said bill was recommitted to the committee on affairs of cities.

The Senate bill entitled "An act to amend chapter 365 of the Laws of 1877, entitled 'An act authorizing and empowering the common council of the city of Rochester to construct a turn-table or swing bridge over the Erie canal, in Allen street, in the city of Rochester,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83. NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HURD	PALMER	SKINNER
ALLEN	CRANDALL	JONES	PARKER	STRACK
ALVORD	CROWLEY	KEATOR	DEWITT C. PECK	E. TAYLOR
ANDREWS	DALY	KELLOGG	PIPER	J. T. TAYLOR
BEARD	DAY	KING	POOL	THAIN
BERRIGAN	DEYOE	LANGNER	PRESCOTT	THOMSON
BERRY	FISH	LOVELAND	PROPER	TOWNSLEY
BOUCK	FITZGERALD	LOWING	PURDY	VALENTINE
BROOKS	FLOYD-JONES	MAPES	ROBERTS	WADSWORTH
BROWNING	GALVIN	MATTISON	ROWLAND	WEMPLE
BRUNDAGE	GRADY	MEAD	SAWYER	WILBOR
CASE	GRAHAM	MEKEEL	SEARING	WILLERS
CLAPP	HAMILTON	MOOERS	SEWELL	WILLIAMS
J. CLARK	I. I. HAYES	NEILSON	SHANLEY	WILLIS
J. M. CLARK	HOLBROOK	NELSON	SHEARD	WINCH
CONVERSE	HOYT	NIVEN	SHELDON	WORTH
CORMACK	HULME	NOYES		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Speaker presented a communication in the following words:

EXECUTIVE DEPARTMENT—CITY HALL, }
NEW YORK, *March 11, 1878.* }

Hon. JAMES W. HUSTED, *Speaker of the Assembly*:

SIR.—Pursuant to the request of the common council of this city, I herewith transmit a copy of a resolution of said common council, approving of a bill relating to contracts for lighting the public lamps of the

city of New York, and requesting the Legislature to pass the same, together with a copy of the proposed bill, and the communications of the mayor and comptroller upon the subject.

Very respectfully,

SMITH ELY, JR., *Mayor*.

Said communication, with accompanying documents, was referred to the committee on affairs of cities.

The Senate bill entitled "An act to amend chapter 530 of the Laws of 1865, entitled 'An act to incorporate the Legal Protection Society of the town of Madison, Madison county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86. NOES 00.

Those who voted in the affirmative, were

ALVORD	DALY	JONES	NOYES	SHELDON
ANDREWS	DAY	KEATOR	PALMER	SKINNER
BAKER	DEYOE	KEEGAN	PARKER	SLITER
BATHE	FISH	KERN	PATTENGILL	STORY
BEARD	FLOYD-JONES	KING	CICERO C. PECK	E. TAYLOR
BERRY	FOSTER	LANGNER	DEWITT C. PECK	J. T. TAYLOR
BOUCK	FRANK	LOVELAND	PIPER	THAIN
BROOKS	GALVIN	LOWING	POOL	THOMSON
BROWNING	GRADY	MAPES	PRESCOTT	TOWNSLEY
CASE	GRAHAM	MATTISON	REYNOLDS	VALENTINE
CHASE	HAMILTON	MEAD	ROBERTS	WARING
CLAPP	HENRY	S. V. R. MILLER	ROWLAND	WEMPLE
J. M. CLARK	HOBBIE	MOOERS	SAWYER	WILBOR
CONVERSE	HOLBROOK	MEYENBORG	SEARING	WILLIAMS
CORMACK	HOYT	NELSON	SEWELL	WILLIS
COSAD	HULME	NIVEN	SHANLEY	WINCH
CRANDALL	HURD	NORTH	SHEARD	WORTH
CROWLEY				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 438 of the Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 76. NOES 00.

Those who voted in the affirmative, were

ALLEN	CROWLEY	HOYT	NIVEN	SHELDON
ALVORD	DALY	JONES	NORTH	SKINNER
ANDREWS	DAY	KEATOR	PALMER	SUTHERLAND
BAKER	FISH	KEEGAN	PARKER	E. TAYLOR
BATHE	FITZGERALD	KELLOGG	PATTENGILL	J. T. TAYLOR
BERRY	FLOYD-JONES	KERN	CICERO C. PECK	THOMSON
BOUCK	FRANK	KING	DEWITT C. PECK	VALENTINE
BROOKS	GALVIN	LOVELAND	POOL	WADSWORTH
BROWNING	GRADY	LOWING	PROPER	WARING
CASE	GRAHAM	MATTISON	REYNOLDS	WEMPLE
CHASE	HALLIDAY	MCDONOUGH	ROWLAND	WILBOR

CLAPP	HAMILTON	MEKEEL	SAWYER	WILLERS
CORMACK	J. HAYES	J. H. MILLER	SEARING	WILLIAMS
COSAD	HENRY	S. V. R. MILLER	SEWELL	WINCH
CRANDALL	HOLBROOK	MOOERS	SHEARD	WORTH
CRAWFORD				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Clerk appointed Horace A. Loomis in place of W. A. W. Wolfe, resigned.

On motion of Mr. Worth, and at 1 o'clock and 48 minutes, the House adjourned.

THURSDAY, MARCH 14, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Edwin Coan.

The journal of yesterday was read and approved.

The Senate sent for concurrence the bills entitled as follows:

"An act to amend chapter 170 of the Laws of 1866, entitled 'An act to incorporate the village of Montezuma,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act relative to the collection of taxes in the county of Sullivan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 416 of the Laws of 1877, entitled 'An act relating to courts, officers of justice and civil proceedings,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act to authorize the city of Elmira to issue bonds for the payment of certain other bonds of said city falling due on or before November 1st, 1878."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled "An act to enable the president and commissioners of the department of city works of the city of Brooklyn to purchase all articles necessary to the furnishing of the new public building therein, in such manner as is for the best interest of said city," with a message that they do non-concur in the amendments of the Assembly thereto, and have appointed as a committee of conference on the part of the Senate, Messrs. Jacobs, Sessions and Wagner, and request a like committee on the part of the Assembly.

Mr. Bergen moved that a committee of conference be appointed on the part of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced, pursuant to ninth joint rule, order of business third reading of bills.

Mr. Alvord moved to lay all orders of business upon the table, for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said

motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Daly introduced a bill entitled "An act to amend an act entitled 'An act to re-organize the local government of the city of New York,' passed April 30, 1873, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Also, a bill entitled "An act relative to the finances and property of the city and county of New York, and the administration of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Also, a bill entitled "An act to reorganize the local government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Brooks introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the New York Real Estate Exchange,' passed May 9, 1867; also the act entitled 'An act to incorporate the New York Real Estate Exchange in the city of New York,' passed May 6, 1870; and to incorporate the New York Real Estate Exchange, and to designate the place of judicial sales in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Wadsworth introduced a bill entitled "An act to amend chapter 786 of the Laws of 1867, entitled 'An act to incorporate the village of Lima, Livingston county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Keegan introduced a bill entitled "An act to make the office of attorney and counsel to the corporation in Long Island City elective," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Also, a bill entitled "An act to facilitate the collection of unpaid taxes in Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. King introduced a bill entitled "An act to amend section 1 of an act entitled 'An act concerning the rights and liabilities of husband and wife,' passed March 20th, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Astor introduced a bill entitled "An act to provide for cleaning the streets of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, a bill entitled "An act in relation to the principals of the schools under the charge of the board of education of the city of New York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the affairs of cities.

By unanimous consent,

Mr. Allen introduced a bill entitled "An act to amend section 7 of title 13 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Graham introduced a bill entitled "An act to provide for the deepening and removal of obstructions from the Wallkill river, in the county of Orange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

The privileges of the floor were granted to the Hon. H. G. Eastman.

Mr. Speaker announced the special order of the day, being the Assembly bill entitled "An act to organize the Senate districts, and for the apportionment of the members of Assembly of this State."

The Senate then resolved itself into a committee of the whole on said named bill; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fish, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. Halliday moved that said bill be made a special order for Friday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord moved that the session for to-morrow morning commence at nine o'clock.

Mr. Brooks moved to amend said motion by striking out the word "nine," and inserting the words "half-past nine."

Mr. Alvord accepted said amendment.

Mr. Speaker put the question whether the House would agree to said motion, as amended, and it was determined in the affirmative.

Mr. Speaker announced as the conference committee on Assembly bill "An act to enable the president and commissioners of the department of city works of the city of Brooklyn to purchase all articles necessary to the furnishing of the new public building therein in such manner as it is for the best interest of said city," Messrs. Bergen, Waring, Worth, Fish, Niven.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon.

Mr. Speaker presented the report and estimate of the State Engineer and Surveyor, in response to a resolution of the Assembly, relative to a sewer for draining the asylum grounds at Buffalo.

On motion of Mr. Alvord, said report and estimate were referred to the committee on ways and means.

Mr. Terry, from the committee on privileges and elections, made the following report:

To the Honorable the Assembly:

The committee on privileges and elections, to which was referred the

petition of Daniel Bradley, claiming the seat in the Assembly now held and occupied by John M. Clancy, as member of Assembly for the First Assembly district of the county of Kings, respectfully report: That the parties and their counsel have appeared before the committee and have been heard. That no evidence has been given in the case which, in the opinion of the committee, establishes the commission of any fraud or illegal practices which should vitiate the general result of the election, or which shows any fraud or mistake in the counting or canvassing of the votes cast, which on the submission of the parties required examination by the committee.

Your committee, therefore, unanimously recommend the adoption of the following resolution:

Resolved, That John M. Clancy is entitled to the seat now held and occupied by him as member of Assembly for the First Assembly district of the county of Kings.

Dated March 8, 1878.

GEO. L. TERRY, -

C. D. PRESCOTT,

HAMILTON FISH, JR.,

S. B. PIPER,

L. B. KERN,

JOSEPH P. STRACK,

JAMES G. GRAHAM.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

On motion of Mr. Alvord, and at 2 o'clock and 5 minutes, the House adjourned.

FRIDAY, MARCH 15, 1878.

The House met pursuant to adjournment.

Prayer by Rev. John Hempstone.

The journal of yesterday was read and approved.

Mr. Sheard offered the following privileged resolution:

Resolved, That this House adjourn at half-past twelve o'clock to-day, to meet on Monday evening at half-past seven.

Mr. Grady moved to amend by striking out the words "half-past seven," and inserting the word "eight."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Moller offered, for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to his Excellency the Governor, requesting the return, for amendment, of Assembly bill No. 1, entitled "An act to amend chapter 446 of the Laws of 1877, entitled 'An act to amend chapter 611 of the Laws of 1869, entitled An act to incorporate the village of West Mount Vernon, county of Westchester.'"

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Loveland introduced a bill entitled "An act to repeal chapter 305 of the Laws of 1871, entitled 'An act providing for the disposal of excise

moneys in the county of Niagara,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Crowley introduced a bill entitled "An act to enable the park commissioners of the city of Buffalo to transfer to said city their jurisdiction and control over certain lands taken for a park and laid out by said commissioners as part of Delaware street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Also, a bill entitled "An act authorizing a change of boundary between the park under the jurisdiction and control of the park commissioners of the city of Buffalo and the lands of the Buffalo city cemetery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Also, a bill entitled "An act authorizing the Buffalo City Cemetery to convey to the city of Buffalo certain lands for a street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Clancy introduced a bill entitled "An act in relation to the Union Ferry Company of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent,

Also, a bill entitled "An act to authorize the extending of State street in the city of Brooklyn to the East river, and to the permanent bulk-head line," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Berry presented a report from the sub-committee of the whole.

(See Doc. No. 86.)

By unanimous consent,

Mr. Floyd-Jones introduced a bill entitled "An act to remove restrictions imposed upon School district No. 5, of the town of Flushing, in Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Astor, from the committee on militia, to which was referred the bill introduced by Mr. Speaker, Int. No. 586, entitled "An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the military for the organization of the National Guard of the State of New York, and for the public defense, and entitled the 'Military Code,' " reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Astor, and by unanimous consent, said bill was ordered recommitted to the committee on militia.

By unanimous consent,

Mr. Hoyt introduced a bill entitled "An act to amend an act to provide for the removal of eel weirs and other devices for taking fish from the Delaware river and any of its tributaries, and to prevent the main-

tenance of such devices,' passed May 19, 1877, chapter 296 of Laws of 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

By unanimous consent,

Mr. C. C. Peck introduced a bill entitled "An act to amend chapter 739 of the Laws of 1857, entitled 'An act to authorize the formation of town insurance companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent,

Mr. Mattison introduced a bill entitled "An act supplemental to chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Burns offered, for the consideration of the House, a resolution in the words following :

Resolved, That a respectful message be sent to the Attorney-General, requesting him to give to this House his opinion :

1st. Whether, under the act known as chapter 107 of the Laws of 1877, entitled "An act in relation to the Superintendent of State Prisons, and for the more efficient and economical management of said prisons," and acts amendatory thereof, the Superintendent of State Prisons has the power to contract for the State, for prison labor, and what, if any, limitation there is of *time* to such contracts.

2d. Whether, under any law of the State, the said Superintendent is authorized to expend the moneys of the State in the erection of buildings and factories for the employment of convict labor.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

By unanimous consent,

Mr. North introduced a bill entitled "An act to confer certain judicial powers upon the recorder of the city of Oswego to hold Courts of Special Sessions for the trial of certain causes, acting as a police justice for said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Also the bill entitled "An act to amend an act entitled 'An act to organize and establish a recorder's court in the city of Oswego,' passed April 12, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Also, the bill entitled "An act to confer certain judicial powers upon the recorder of the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Also, the bill entitled "An act to authorize the chief of police of the city of Oswego to issue subpoenas in causes pending before the recorder of said city, acting as police justice," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Clapp, from the committee on banks, to which was referred the bill introduced by Mr. Clapp, Int. No. 485, entitled "An act to provide for the examination of banks and banking associations," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Clapp, from the committee on banks, to which was referred the bill introduced by Mr. Hurd, Int. No. 413, entitled "An act to amend section 3, chapter 256 of the Laws of 1877, entitled 'An act to amend chapter 371 of the Laws of 1875, entitled An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs,'" reported adversely thereto.

Mr. Crowley moved that said report be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

By unanimous consent,

Mr. Clapp, from the committee on banks, to which was referred the bill introduced by Mr. Chappell, Int. No. 145, entitled "An act to amend section 1 of chapter 256 of Laws of 1877, entitled 'An act to amend chapter 371 of the Laws of 1875, entitled An act to conform the charters of all savings banks or institutions for savings to uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs,'" reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Sutherland, Int. No. 404, entitled "An act declaring certain waters of Stocking run and Cohocton river, Steuben county, public highways," moved to discharge said committee on ways and means from the further consideration of said bill, and that the same be referred to the committee on roads and bridges.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord, Int. No. 378, entitled "An act limiting the time and expense of completing the Adirondack survey," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord, Int. No. 329, entitled "An act relating to the State Survey, and making appropriations therefor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Willers, Int. No. 228, entitled "An

act to terminate the topographical survey and exploration of the Adirondack Survey," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Skinner, Int. No. 153, entitled "An act to provide for the appointment of special game constables," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was recommitted the bill introduced by Mr. Halliday, Int. No. 100, entitled "An act to establish and provide for the New York State Experimental Station," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Story, Int. No. 578, entitled "An act for the improvement of the navigation of the Hudson river and to make an appropriation therefor," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Berry, Int. No. 202, entitled "An act authorizing the Syracuse, Chenango and New York Railroad Company, to use, occupy and enjoy the towing path of a portion of the Chenango canal," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Brooks, Int. No. 347, entitled "An act to amend the general railroad act of April 2, 1850," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Prescott, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Turner, Int. No. 71, entitled "An act to extend the time for the completion of the railroad of the Black river and St. Lawrence Railway Company," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was recommended (retaining its place on the order of third reading of bills), the bill introduced by Mr. I. I. Hayes, Int. No. 80, entitled "An act to abolish the office of commissioner of jurors of the city of New York, and to transfer the duties of said office to the clerk of the city and county of New York," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act in relation to the commissioner of jurors in the city of New York," which report was agreed to, and said bill was replaced on the calendar of third reading of bills.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred

the bill introduced by Mr. Worth, Int. No. 3, entitled "An act to amend chapter 873, Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,' passed June 28, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Keegan, Int. No. 611, entitled "An act to facilitate the collection of unpaid taxes in Long Island city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Keegan, Int. No. 612, entitled "An act to make the office of attorney and counsel to the corporation in Long Island City elective," reported in favor of the passage of the same which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on the affairs of cities, to which was recommitted the bill introduced by Mr. Moller, Int. No. 452, entitled "An act to amend chapter 35 of the Laws of 1873, entitled 'An act to re-enact and amend an act entitled An act to incorporate the city of Yonkers, passed June 1, 1872,' passed February 28, 1873," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Worth, Int. No. 560, entitled "An act for the preservation of the public health in the city of Brooklyn," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Fish moved that the said bill be recommitted to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Daly, Int. No. 609, entitled "An act relative to the finances and property of the city and county of New York and the administration of the same," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Fish moved that said bill be recommitted to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Daly, Int. No. 607, entitled "An act to amend an act entitled 'An act to re-organize the local government of the city of New York,' passed April 30, 1873, and the acts amendatory thereof," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Fish moved that the said bill be recommitted to the committee on the affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Daly, Int. No. 608, entitled "An act to re-organize the local government of the city of New York," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Fish moved that said bill be re-committed to the committee on the affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was re-committed the bill introduced by Mr. Astor, Int. No. 90, entitled "An act to provide against the use of unsuitable and dangerous telegraph poles in the city of New York," re-reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole, retaining its place on general orders.

By unanimous consent,

Mr. Case, from the committee on canals, to which was referred the bill introduced by Mr. J. M. Clark, Int. No. 233, entitled "An act relating to the disposition of the prism and banks of the Crooked Lake canal," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Valentine, from the committee on internal affairs, to which was re-committed the bill introduced by Mr. Allen, Int. No. 24, entitled "An act to repeal chapter 180 of Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole, and ordered to a third reading.

By unanimous consent,

Mr. Case, from the committee on canals, to which was referred the bill introduced by Mr. Piper, Int. No. 375, entitled "An act to secure to the public the free use of the canals," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. North, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Havens, Int. No. 292, entitled "An act to incorporate the Greenport Wharf Company," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. North, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Brundage, Int. No. 553, entitled "An act to amend chapter 691 of the Laws of 1865, entitled 'An act to amend an act entitled An act to amend an act for the incorporation of companies formed to navigate the lakes and rivers, passed April 15, 1854,' and to amend an act entitled 'An act for the incorporation of companies to navigate the lakes and rivers, passed April 15, 1854,' passed April 15, 1861," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Case, from the committee on game laws, to which was referred the bill introduced by Mr. Hulme, Int. No. 223, entitled "An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Case, from the committee on game laws, to which was referred the Senale bill introduced by Mr. Sessions, Int. No. 67, entitled "An act to confer on the board of supervisors of Chautauqua county authority to protect ducks and fish in all waters within the territorial jurisdiction of said county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Willers, Int. No. 602, entitled "An act to confer additional powers upon corporations organized under chapter 438, Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing,' and the several acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Deyoe, Int. No. 63, entitled "An act to empower Greenfield Center Lodge, No. 308, of the Independent Order of Odd Fellows, of the State of New York, town of Greenfield and county of Saratoga, to hold and convey real and personal estate and constitute the same a corporation," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Case, Int. No. 422, entitled "An act to repeal subdivision 3 of section 2 of chapter 769 of the Laws of 1857, and chapter 530 of the Laws of 1872," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Daly, Int. No. 374, entitled "An act for the incorporation of District No. 1 of the Independent Order of Benai Berith, and to authorize other incorporations, incorporated societies, or other associations to give and transfer property to or wholly to consolidate with the corporation hereby created," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Berry introduced a bill entitled "An act authorizing the conveyance of certain portions of the Chenango canal," which was read the first time, and by unanimous consent was also read the second time, and referred the committee on canals.

By unanimous consent,

Mr. Bergen introduced a bill entitled "An act to amend chapter 253

of the Laws of 1877, entitled 'An act to amend chapter 197 of the Laws of 1877, entitled An act in relation to the Superintendent of State Prisons, and for the more efficient and economical management of said prisons,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on state prisons.

Also, presented two petitions on the same subject.

By unanimous consent,

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Graham, Int. No. 529, entitled "An act to extend the time of the corporate existence of The Middletown and Wurtsboro Turnpike Company," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Peek, Int. No. 171, entitled "An act to amend chapter 118 of the Laws of 1873, entitled 'An act to provide for the construction and improvement of the road from Piseco Lake to Clafin's tannery, in the county of Hamilton,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Curran moved to take from the table the bill entitled "An act to provide for a special election in the Second ward of the village of West Troy, for president and trustees of said village."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members present to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HALLIDAY	S. V. R. MILLER	SAWYER
ALLEN	CORMACK	HAMILTON	MOLLER	SEARING
ALVORD	COSAD	HAVENS	MOOERS	SHEARD
ANDREWS	CRANDALL	HENRY	MEYENBORG	SHELDON
BAKER	CRAWFORD	HOBBIE	NELSON	SKINNER
BATHE	CROWLEY	HOLBROOK	NIVEN	SLITER
BERGEN	CURRAN	HOYT	NOYES	STORY
BERRY	DAY	JONES	PALMER	SUTHERLAND
BOUCK	DEYOE	KEATOR	PATTENGILL	J. T. TAYLOR
BROOKS	DOUGLASS	KELLOGG	CICERO C. PECK	TERRY
BROWNING	FISH	KING	PIPER	THAIN
BRUNDAGE	FLOYD-JONES	LOWING	POOL	THOMSON
BURNS	FLYNN	MATTISON	PRESCOTT	VALENTINE
CHAPPELL	GALVIN	MEAD	PROPER	WEMPLE
CHASE	GRADY	MEKEEL	REYNOLDS	WILLERS
CLAPP	GRAHAM	J. H. MILLER	ROBERTS	WILLIAMS
J. M. CLARK	GRIGGS			

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOLBROOK	MOOERS	SHEARD
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ALLEN	CROWLEY	HOYT	NEILSON	SHELDON
ALVORD	CURRAN	JONES	NELSON	SKINNER
ANDREWS	DAY	KEATOR	NIVEN	SLITER
BAKER	DEYOE	KEEGAN	NORTH	STORY
BATHE	DOUGLASS	KELLOGG	PALMER	SUTHERLAND
BERGEN	FISH	KING	PARKER	E. TAYLOR
BERRIGAN	FLOYD-JONES	LANGNER	PATTENGILL	J. T. TAYLOR
BERRY	FLYNN	LOVELAND	CICCEO C. PECK	TERRY
BOUCK	FOSTER	LOWING	DEWITT C. PECK	THAIN
BROOKS	GRIGGS	MAPES	PEEK	THOMSON
BROWNING	HALLIDAY	MATTISON	POOL	TOWNSLEY
CHASE	HAMILTON	MEAD	PRESCOTT	WEMPLE
CLANCY	HAVENS	MEKEEL	PROPER	WHEELER
CLAPP	HENRY	J. H. MILLER	REYNOLDS	WILBOR
J. M. CLARK	HOBBIE	S. V. R. MILLER	ROBERTS	WILLERS
CONVERSE	HOLAHAN	MOLLER	SEARING	WILLIAMS
CORMACK				

For the negative,

BEARD

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the following entitled bills:

"An act to provide for the support, treatment and care of pauper, destitute and delinquent children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to classify the board of trustees of the Clinton Liberal Institute, and to provide for the election of said trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the merging of corporations organized under the act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25th, 1853, and of the acts amending or extending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act for the relief of the Columbia Car Spring Company for omitting to file the certificate required by section 11, chapter 40 of the Laws of 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks, or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to confirm the election of officers for the village of Phelps, Ontario county."

"An act to amend chapter 881 of the Laws of 1869, entitled 'An act to amend an act entitled An act to amend an act entitled An act to incorporate the village of Port Byron,' passed March 28th, 1855."

"An act in relation to the collection of taxes in the city of Kingston."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled "An act in relation to the bonded indebtedness of villages, cities, towns and counties," with a message that they had concurred in the passage of the same, with the following amendments:

Section 2, line 16, strike out the word "thirty," and insert the word "twenty."

Strike out all of section 5, and insert in lieu thereof the following:

"§ 5. The principal of all bonds authorized to be issued pursuant to the provisions of this act, may be made payable in installments yearly, or in periods of years not extending beyond the limit herein made, as shall be determined by the authorities hereby empowered to issue them. But nothing in this act contained shall be so construed as to permit any village, city, town or county in this State to increase its present bonded indebtedness."

Section 6, line 2, change the word "counties" to the word "county."

Same section, line 3, strike out the words "and Ulster."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOBBIE	NIVEN	SHEARD
ALVORD	CRANDALL	HOLBROOK	NORTH	SHELDON
ANDREWS	DALY	HOYT	NOYES	SKINNER
ASTOR	DEYOE	HULME	PALMER	SLITER
BAKER	DOUGLASS	JONES	PARKER	STORY
BATHE	FISH	KEATOR	PATTENGILL	STRACK
BERGEN	FLOYD-JONES	KING	CICERO C. PECK	SUTHERLAND
BERRIGAN	FOSTER	LOVELAND	DEWITT C. PECK	E. TAYLOR
BERRY	FRANK	LOWING	PEEK	J. T. TAYLOR
BROWNING	GALVIN	MEAD	PIPER	TERRY
BRUNDAGE	GRADY	MEKEEL	POOL	THAIN
CASE	GRIFFS	J. H. MILLER	PRESCOTT	THOMSON
CHAPPELL	HALLIDAY	S. V. R. MILLER	ROBERTS	TOWNSLEY
CHASE	HAMILTON	MOLLER	SAWYER	WEMPLE
CAPP	HAVENS	MOOERS	SEARING	WHEELER
J. M. CLARK	HENRY	NEILSON		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend chapter 220 of the Laws of 1862, entitled 'An act to reorganize the State Asylum for Idiots, and to provide for the government and management thereof,'" with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 39, strike out the word "the," and insert in lieu thereof the word "any."

Line 40, same section, strike out the word "thereof."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HULME	PALMER	SLITER
ALVORD	CRAWFORD	HURD	PARKER	STORY
ASTOR	DALY	JONES	PATTENGILL	STRACK
BAKER	DAY	KEATOR	CICERO C. PECK	SUTHERLAND
BATHE	DEVOE	KEEGAN	PIPER	E. TAYLOR
BERRY	DOUGLASS	KING	POOL	J. T. TAYLOR
BOUCK	FISH	LOWING	PRESCOTT	TERRY
BROOKS	FLOYD-JONES	MATTISON	PROPER	THAIN
BROWNING	GALVIN	MEAD	REYNOLDS	THOMSON
BRUNDAGE	GRIGGS	MEKEEL	ROBERTS	TOWNSLEY
CASE	HALIDAY	J. H. MILLER	SAWYER	WEMPLE
CHAPPELL	HAMILTON	S. V. R. MILLER	SEARING	WHEELER
CHASE	HAVENS	MOOERS	SHEARD	WILBOR
CLAPP	HENRY	NIVEN	SHELDON	WILLERS
J. M. CLARK	HOBBIE	NOYES	SKINNER	WILLIAMS
CONVERSE	HOLBROOK			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend chapter 74 of the Laws of 1877, entitled 'An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of the State of New York,'" with a message that they had concurred in the passage of the same, with the following amendments:

Sec. 1, line 26, strike out all after the word "state," down to the end of the section, and insert the following:

"And whenever any such subordinate lodge, so constituted, shall be desirous of having the benefit of this act, it shall and may be lawful for such lodge, at any regular stated meeting thereof, held in accordance with the constitution and general regulations of the grand lodge aforesaid, and in conformity to its own by-laws and regulations, to elect by ballot three trustees for such lodge for the purpose aforesaid; a certificate of which election and purpose shall be made and subscribed by the first three elective officers of said lodge, under their hands, and stating therein the time and place of such election, the regularity thereof, the names of such trustees, and the terms severally for which they are allotted to serve, and the name of the lodge for which they were elected. The execution of such certificate shall be acknowledged or proved before some officer authorized to take the acknowledgment of deeds, who shall indorse thereon a certificate of such acknowledgment under his hand, and the same shall then be filed in the office of the Secretary of State. Such trustees, and their successors, shall thereupon be and become entitled to all the benefits, rights and privileges granted by this act to and for the use and behoof of such lodge; and said trustees shall thereupon be authorized to take and hold real and personal estate for the uses and purposes of said lodge, in any amount not exceeding fifty thousand dollars, and may convey the same according to the provisions of this act. The persons so first elected trustees shall be divided by lot by the officers making such certificate, so that the term of one shall expire one year from the day of the next election of the first officer of such lodge, and the term of the second shall expire two years from said day, and the third three years from said day. One trustee shall annually thereafter be elected by said lodge, by ballot, in the same manner and at the same time as the first officer of said lodge shall be elected according to the constitution, general regulations and by-laws aforesaid; and a certificate

of said election, under the hands of the three officers and the seal of said lodge, if they have one, shall be made, and shall be evidence of such election, and entitle such person so elected to act as trustee for the term of three years from the time of his election. Said lodge may, at any regular stated meeting thereof, fill any vacancy that may have occurred in said board of trustees, to be certified in like manner and with like effect as at an annual election; and the person so elected shall hold his office for and during the term of the trustee whose place he was elected to fill. A copy of the certificate of incorporation, certified by the Secretary of State or his deputy, shall be evidence of the incorporation of said lodge, and of the right of said trustees to exercise all the rights and privileges conferred by this act. If any person so elected trustee shall die, resign, remove from this State, or for any cause cease to be a member of such lodge according to the laws, general regulations, or by-laws aforesaid, or become insane, or otherwise incapacitated from performing the duties of said trust, his office as trustee shall thereafter be deemed vacant, and such lodge may thereafter, at any regular stated meeting, by resolution duly passed and entered on its minutes, declare such office vacant, for any cause aforesaid, and may thereupon, in the same manner and with like effect, proceed to fill such vacancy. The trustees of any such lodge, and their successors, shall be and are hereby authorized to take, hold, mortgage and convey, by and under the direction of such lodge, and for the use and benefit thereof, all the temporalities and property belonging thereto, whether consisting of real or personal estate, and whether the same shall have been given, granted or devised, directly to such lodge, or to any person or persons, for their use, or in trust for them or their benefit; and also in their individual names, with the addition of their title of trustees aforesaid, to sue and be sued in all courts and places having jurisdiction of the subject-matter of such action, and to recover, hold and enjoy, in trust and subject as aforesaid, all the debts, demands, rights and privileges, and all real estate and property belonging to such lodge, in whatever manner the same may be acquired, or in whosoever name the same may be held, as fully and amply as if the right or title thereto had been originally vested in such trustees; and also to purchase and hold, for the purposes and subject as aforesaid, other real and personal estate, and to demise, lease, mortgage, and improve the same. And such lodge shall have power to make rules and regulations, not inconsistent with the laws of this State, nor contrary to the constitution or general regulations of the grand lodge to which it shall be subordinate, for managing the temporal affairs of such lodge, and to dispose of its property and all other temporal concerns, and the revenue thereof. Nothing in this act contained shall be construed or taken to give to such trustees of any lodge the power to purchase, sell, convey, mortgage or dispose of any property, real or personal, of such lodge; nor shall they have such power, except by and under the direction of such lodge, duly had at a regular or stated meeting thereof, according to the constitution and general regulations aforesaid; and said trustees shall at all times obey and abide by the directions, orders and resolutions of said lodge, duly passed at any regular or stated meeting thereof, according to and not contravening the Constitution and Laws of this State, or of the grand lodge to which it shall be subordinate, or of the lodge aforesaid. No board of trustees for any lodge, filing the certificate aforesaid, shall be deemed to be dissolved for any neglect or omission to elect a trustee annually, or to fill any vacancy or vacancies

that may occur or exist at any time in said board; but it shall or may be lawful for said lodge to fill such vacancy or vacancies at any regular or stated meeting thereafter to be held; and till a vacancy, arising from the expiration of a term of office of a trustee, is filled as herein provided, he shall continue to hold the said office and perform the duties thereof. This act shall be deemed a public act, and be benignly construed in all courts and places to effectuate the objects thereof. Trustees elected under the provisions of this act shall give such bonds for the faithful performance of their duties and trusts as are required by the constitution and general regulations of the grand lodge, if any, and the by-laws of the lodge for which they were elected trustees."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	GRAHAM	J. H. MILLER	SKINNER
ALVORD	CORMACK	HALLIDAY	MOOERS	SLITER
ASTOR	COSAD	HAVENS	NELSON	STORY
BAKER	CRANDALL	I. I. HAYES	NIVEN	STRACK
BATHE	CRAWFORD	HENRY	NORTH	E. TAYLOR
BERGEN	CROWLEY	HOBBIE	NOYES	J. T. TAYLOR
BERRIGAN	CURRAN	HOLBROOK	PARKER	TERRY
BERRY	DALY	HOYT	CICERO C. PECK	THAIN
BOUCK	DAY	HULME	PIPER	THOMSON
BRUNDGAE	DEYOE	JONES	POOL	TOWNSLEY
CASE	DOUGLASS	KELLOGG	PRESCOTT	VALENTINE
CHAPPELL	FISH	KING	ROBERTS	WEMPLE
CHASE	FITZGERALD	LANGNER	SAWYER	WHEELER
CLANCY	FOSTER	LOVELAND	SEARING	WILBOR
CLAPP	GALVIN	MATTISON	SHEARD	WILLERS
J. M. CLARK	GILBERT	MEKEEL	SHELDON	WILLIAMS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

By unanimous consent,

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Mekeel, Int. No. 601, entitled "An act conferring additional powers upon the board of trustees of the village of Havana, county of Schuyler, reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Wadsworth, Int. No. 613, entitled "An act to amend chapter 786 of the Laws of 1867, entitled 'An act to incorporate the village of Lima, Livingston county, reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Pomeroy, Int. No. 88, entitled "An act to amend chapter 170 of the Laws of 1866, entitled 'An act to incorporate the village of Montezuma,' " reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Douglass introduced a bill entitled "An act to reduce rates of ferriage on certain ferry routes between the cities of New York and Brooklyn, and to establish rates of ferriage thereon, and to regulate the running of said ferries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Nelson introduced a bill entitled "An act to create fire districts, for the purpose of furnishing water for extinguishing fires in villages of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Also, a bill entitled "An act for building sewers in villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. Pool presented petitions of members of the Ancient Order of United Workmen for an amendment to their charter; which was read and referred to the committee on general laws.

By unanimous consent,

Mr. Prescott presented a memorial for the establishment of new forms for railroad returns; which was read and referred to the committee on railroads.

By unanimous consent,

Mr. I. I. Hayes introduced a bill entitled "An act additional to chapter 320 of the Laws of 1872, entitled 'An act to amend an act relating to the rates of wharfage, and to regulate piers, wharves, bulkheads and slips in the cities of New York and Brooklyn,' passed May 6, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent,

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Roberts, Int. No. 584, entitled "An act to incorporate the Black River Improvement Company," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. I. I. Hayes introduced a bill entitled "An act to provide means for the equipment and furnishing of the building erected on that portion of the Central park, in the city of New York, east of the old receiving reservoir, under the provisions of chapter 290, Laws of 1871, for the purposes of a museum and gallery of art, and for removing thereto and establishing therein the collections of the Metropolitan Museum of Art," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Also, a bill entitled "An act to provide for the construction, repair and improvement of docks, wharves, piers, slips, and bulk-heads, in the city of New York, and for the management and control of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Searing introduced a bill entitled "An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes,' so far as the same relates to Ulster county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Speaker announced, pursuant to the ninth joint rule, order of business third reading of bills.

Mr. Alvord moved to lay said order of business on the table, for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Piper, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bergen, Int. No. 294, entitled "An act in relation to the sales of personal property by installments," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act in relation to the sale of personal property, to be paid for by installments, in the city of New York and Brooklyn," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Piper, from the committee on the judiciary, to which was referred the bill introduced by Mr. Neilson, Int. No. 447, entitled "An act authorizing the courts of oyer and terminer and the courts of sessions of the county of Saratoga to direct payment of clerk hire in certain cases," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Waring, Int. No. 389, entitled "An act to incorporate the Society for the Prevention of Crime," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to provide for a special election in the second ward of the village of West Troy, for president, collector and treasurer of said village, and for trustee and constable of said ward, and to define certain of the powers of the officers of such village, prior to such election."

"An act to confirm the election of village trustees of the villages of Whitney's Point and Lisle, in Broome county, and to provide for and determine by lot their respective terms of office."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following resolution, with a message that they had concurred in the passage of the same:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 1, entitled "An act to amend chapter 446 of the Laws of 1877, entitled 'An act to

amend chapter 611 of the Laws of 1869, entitled An act to incorporate the village of West Monnt Vernon, county of Westchester.'"

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Speaker then announced the special order of the day, being the bill entitled "An act to organize the Senate districts, and for the apportionment of the members of Assembly of this State."

The House then resolved itself into the committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows :

"An act to organize the Senate districts, and for the apportionment of the members of Assembly of this State."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fish, from said committee, reported progress on the said named bill, and asked and obtained leave to sit again.

Mr. Alvord moved that said bill be made a special order for Tuesday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to amend subdivision 4 of section 1 of chapter 257 of the Laws of 1876, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HALLIDAY	J. H. MILLER	SEARING
ALVORD	CORMACK	HAMILTON	S. V. R. MILLER	SHEARD
ANDREWS	COSAD	I. I. HAYES	MOLLER	SHELDON
ASTOR	CRANDALL	HOBBIE	MOOERS	SKINNER
BAKER	CROWLEY	HOLAHAN	NELSON	STORY
BEARD	CURRAN	HOLBROOK	NIVEN	STRACK
BERGEN	DALY	HOYT	PARKER	E. TAYLOR
BERRIGAN	DOUGLASS	JONES	PATTENGILL	J. T. TAYLOR
BERRY	FISH	KEATOR	CICERO C. PECK	TERRY
BROOKS	FITZGERALD	KEEGAN	DEWITT C. PECK	THAIN
BRUNDAGE	FLOYD-JONES	KELLOGG	PIPER	THOMSON
CASE	FLYNN	LANGNER	PRESCOTT	TOWNSLEY
CHAPPELL	FOSTER	LOWING	REYNOLDS	WEMPLE
CLANCY	FRANK	MCDONOUGH	ROBERTS	WILBOR
CLAPP	GALVIN	MEAD	ROWLAND	WILLERS
J. CLARK	GILBERT	MEKEEL	SAWYER	WILLIAMS
J. M. CLARK	GRADY			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the power of the corporation of said village,' passed April 3, 1861," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOLBROOK	NOYES	SHELDON
ALLEN	CROWLEY	HULME	PALMER	SKINNER
BAKER	DALY	HURD	PARKER	STORY
BEARD	DAY	JONES	PATTENGILL	STRACK
BERGEN	DEYOE	KEATOR	CICERO C. PECK	SUTHERLAND
BERRIGAN	FISH	KING	DEWITT C. PECK	E. TAYLOR
BERRY	FITZGERALD	LOVELAND	PEEK	J. T. TAYLOR
BROOKS	FLOYD-JONES	LOWING	PIPER	TERRY
BROWNING	FLYNN	MAPES	PRESCOTT	THOMSON
BRUNDAGE	FOSTER	MATTISON	REYNOLDS	TOWNSLEY
CHAPPELL	GALVIN	MEAD	ROBERTS	VALENTINE
CHASE	GILBERT	MEKEEL	ROWLAND	WEMPLE
CLANCY	GRADY	S. V. R. MILLER	SAWYER	WILBOR
CLAPP	HAMILTON	NELSON	SEARING	WILLERS
J. M. CLARK	HAVENS	NIVEN	SHANLEY	WILLIAMS
CONVERSE	HENRY	NORTH	SHEARD	WINCH
COSAD	HOBBIE			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to coroners' fees and post-mortem examinations in Monroe county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CHASE	HAMILTON	MOLLER	SEARING
ALLEN	J. M. CLARK	HAVENS	MEYENBORG	SHEARD
ALVORD	CONVERSE	HENRY	NELSON	SKINNER
ANDREWS	CORMACK	HOBBIE	NIVEN	STRACK
ASTOR	COSAD	HOLBROOK	NORTH	SUTHERLAND
BAKER	CRANDALL	HOYT	NOYES	E. TAYLOR
BATHE	CRAWFORD	JONES	PARKER	J. T. TAYLOR
BEARD	CURRAN	KEATOR	PATTENGILL	THAIN
BERGEN	DALY	KELLOGG	CICERO C. PECK	THOMSON
BERRIGAN	DAY	LANGNER	DEWITT C. PECK	TOWNSLEY
BERRY	FISH	LOVELAND	PIPER	WEMPLE
BROOKS	FITZGERALD	LOWING	PRESCOTT	WHEELER
BROWNING	FLOYD-JONES	MAPES	REYNOLDS	WILBOR
BRUNDAGE	FOSTER	MATTISON	ROBERTS	WILLIAMS
CASE	GALVIN	J. H. MILLER	SAWYER	WINCH
CHAPPELL	GRADY	S. V. R. MILLER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their powers and duties,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 5.

Those who voted in the affirmative, were

ALLEN	J. M. CLARK	FRANK	MCDONOUGH	PIPER
ALVORD	CONVERSE	GALVIN	MEAD	REYNOLDS

ANDREWS	CORMACK	GILBERT	MEKEEL	ROBERTS
BAKER	COSAD	GRADY	S. V. R. MILLER	SEARING
BATHE	CRAWFORD	HAMILTON	MOLLER	SHANLEY
BEARD	CROWLEY	HAVENS	MEYENBORG	SHEARD
BERGEN	CURRAN	HOBBIE	NEILSON	SHELDON
BERRIGAN	DALY	HOLBROOK	NELSON	SKINNER
BERRY	DAY	HOYT	NIVEN	STRACK
BROWNING	DEYOE	HULME	NORTH	SUTHERLAND
BRUNDAGE	DOUGLASS	HURD	NOYES	E. TAYLOR
CASE	FISH	KEATOR	PARKER	J. T. TAYLOR
CHASE	FITZGERALD	KELLOGG	PATTENGILL	THOMSON
CLANCY	FLOYD-JONES	LOVELAND	CICERO C. PECK	TOWNSLEY
CLAPP	FLYNN	LOWING	DEWITT C. PECK	WILLERS
J. CLARK	FOSTER	MATISON		

Those who voted in the negative, were

ABBOTT	JONES	PRESCOTT	TERRY	WEMPLE
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 328 of the Laws of 1868, entitled 'An act to amend and continue in force an act entitled An act to incorporate an association for the relief of respectable aged indigent females in the city of New York,' passed March 10, 1815, and the acts continuing in force and amending the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	GRADY	J. H. MILLER	SEARING
ALLEN	CORMACK	HAMILTON	MOLLER	SEWELL
ALVORD	COSAD	HAVENS	MEYENBORG	SHEARD
ASTOR	CRAWFORD	HOBBIE	NEILSON	SHELDON
BATHE	CROWLEY	HOLBROOK	NELSON	SKINNER
BERGEN	CURRAN	HOYT	NIVEN	STRACK
BERRIGAN	DALY	HULME	NORTH	SUTHERLAND
BERRY	DAY	JONES	NOYES	E. TAYLOR
BROOKS	DEYOE	KEATOR	PALMER	J. T. TAYLOR
BRUNDAGE	DOUGLASS	KEEGAN	PARKER	TERRY
CASE	FISH	KELLOGG	PATTENGILL	THAIN
CHAPPELL	FITZGERALD	KERN	PIPER	THOMSON
CHASE	FLOYD-JONES	LANGNER	PRESCOTT	WEMPLE
CLANCY	FOSTER	LOVELAND	REYNOLDS	WILBOR
J. CLARK	FRANK	MATISON	ROBERTS	WILLERS
J. M. CLARK	GALVIN	MEKEEL	ROWLAND	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act in relation to the office of railroad commissioners in Ulster county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HAVENS	S. V. R. MILLER	SEARING
ALLEN	CRANDALL	I. I. HAYES	NEILSON	SHEARD
ALVORD	CRAWFORD	HOBBIE	NELSON	SHELDON
ANDREWS	CROWLEY	HOLBROOK	NIVEN	SKINNER
BERGEN	CURRAN	HOYT	NORTH	STRACK
BERRIGAN	DALY	HULME	NOYES	SUTHERLAND
BERRY	DAY	JONES	PALMER	E. TAYLOR
BROOKS	DEYOE	KEATOR	PARKER	J. T. TAYLOR
BRUNDAGE	DOUGLASS	KEEGAN	PATTENGILL	THAIN
CASE	FISH	KELLOGG	CICERO C. PECK	THOMSON
CHAPPELL	FITZGERALD	KERN	DEWITT C. PECK	TOWNSLEY
CHASE	FLOYD-JONES	LOWING	PIPER	WEMPLE
CLAPP	FLYNN	MAPES	PRESCOTT	WHEELER
J. CLARK	FOSTER	MATTISON	REYNOLDS	WILBOR
J. M. CLARK	GRADY	MEKEEL	ROWLAND	WILLERS
CONVERSE	HALLIDAY	J. H. MILLER	SAWYER	WINCH
CORMACK	HAMILTON			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal all acts and parts of acts relating to the preservation and protection of fish in the waters of Silver lake, in the county of Wyoming," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 70.

NOES 8.

Those who voted in the affirmative, were

ABBOTT	CORMACK	GRAHAM	MEKEEL	SAWYER
ALLEN	COSAD	GRIGGS	J. H. MILLER	SHANLEY
ANDREWS	CRANDALL	HALLIDAY	MEYENBORG	SHEARD
BERGEN	CRAWFORD	HAVENS	NELSON	SKINNER
BERRIGAN	CROWLEY	I. I. HAYES	NIVEN	STRACK
BERRY	CURRAN	HENRY	NORTH	SUTHERLAND
BROWNING	DALY	HOLAHAN	NOYES	E. TAYLOR
BRUNDAGE	DAY	HOLBROOK	PALMER	THAIN
CASE	DEYOE	HOYT	PARKER	THOMSON
CHAPPELL	FISH	JONES	PATTENGILL	TOWNSLEY
CHASE	FITZGERALD	LANGNER	DEWITT C. PECK	VALENTINE
CLANCY	FLOYD-JONES	LOVELAND	PRESCOTT	WHEELER
J. CLARK	FLYNN	LOWING	REYNOLDS	WILLIAMS
J. M. CLARK	GRADY	MEAD	ROBERTS	WINCH

Those who voted in the negative, were

ALVORD	HAMILTON	KELLOGG	WEMPLE	WILBOR
BROOKS	HULME	CICERO C. PECK		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to provide for extending the time for the collection of taxes in the city of Hudson," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLAHAN	MEYENBORG	SKINNER
ALLEN	CRANDALL	HOLBROOK	NEILSON	SLITER
ALVORD	CRAWFORD	HOYT	NELSON	STRACK
ANDREWS	CROWLEY	HULME	NIVEN	SUTHERLAND
BAKER	CURRAN	JONES	NORTH	E. TAYLOR
BATHE	DALY	KEATOR	PALMER	J. T. TAYLOR
BERRIGAN	DEYOE	KELLOGG	PARKER	THAIN
BERRY	FISH	LANGNER	PATTENGILL	THOMSON
BROOKS	FITZGERALD	LOVELAND	CICERO C. PECK	TOWNSLEY
BROWNING	FLOYD-JONES	MAPES	DEWITT C. PECK	VALENTINE
CHAPPELL	FLYNN	MATTISON	PRESCOTT	WEMPLE
CHASE	GALVIN	MCDONOUGH	PROPER	WILBOR
CLANCY	GRADY	MEKEEL	ROBERTS	WILLERS
CLAPP	GRIGGS	J. H. MILLER	SAWYER	WILLIAMS
J. CLARK	HALLIDAY	S. V. R. MILLER	SHANLEY	WINCH
J. M. CLARK	HAMILTON			

Those who voted in the negative, were

BRUNDAGE SHEARD

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 197 of the Laws of 1864, entitled 'An act to amend the several acts relating to taxes upon dogs, so far as relates to the county of Ontario, and providing for the extension of the provisions thereof to the several counties of the State by resolution of the respective boards of supervisors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	I. I. HAYES	MEYENBORG	SHEARD
ALLEN	CORMACK	HOLBROOK	NEILSON	SHELDON
ALVORD	COSAD	HOYT	NELSON	SKINNER
ANDREWS	CRANDALL	HULME	NIVEN	STRACK
BAKER	CROWLEY	HURD	NORTH	SUTHERLAND
BATHE	DALY	JONES	NOYES	E. TAYLOR
BERGEN	DEYOE	KELLOGG	PALMER	TERRY
BERRIGAN	FISH	KERN	PARKER	THAIN
BERRY	FITZGERALD	LANGNER	PATTENGILL	THOMSON
BROOKS	FLOYD-JONES	LOVELAND	CICERO C. PECK	TOWNSLEY
BROWNING	FLYNN	LOWING	DEWITT C. PECK	VALENTINE
BRUNDAGE	FRANK	MATTISON	PRESCOTT	WEMPLE
CASE	GALVIN	MCDONOUGH	PROPER	WHEELER
CHAPPELL	GILBERT	MEKEEL	REYNOLDS	WILBOR
CHASE	GRADY	J. H. MILLER	SAWYER	WILLERS
CLAPP	GRIGGS	S. V. R. MILLER	SEARING	WILLIAMS
J. CLARK	HALLIDAY			

Those who voted in the negative, were

CRAWFORD WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

When the name of Mr. Allen was called, he asked to be, and was not, excused from voting.

The Senate bill entitled "An act to authorize the village of Richfield Springs, in the county of Oswego, to refund its funded debt," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOBBIE	MEYENBORG	SHEARD
ALVORD	CRAWFORD	HOLAHAN	NEILSON	SHELDON
ANDREWS	CROWLEY	HOLBROOK	NIVEN	SKINNER
BATHE	CURRAN	HOYT	NOYES	STORY
BERGEN	DALY	HULME	PALMER	STRACK
BERRIGAN	DOUGLASS	HURD	PARKER	SUTHERLAND
BERRY	FISH	JONES	PATTENGILL	E. TAYLOR
BROOKS	FITZGERALD	KELLOGG	CICERO C. PECK	TERRY
BROWNING	FLOYD-JONES	LANGNER	DEWITT C. PECK	THOMSON
BRUNDAGE	GALVIN	LOWING	PRESCOTT	VALENTINE
CASE	GILBERT	MAPES	PROPER	WEMPLE
CHAPPELL	GRADY	MATTISON	REYNOLDS	WHEELER
CHASE	GRIGGS	MCDONOUGH	ROBERTS	WILBOR
CLANCY	HALIDAY	MEKEEL	SAWYER	WILLERS
CLAPP	HAVENS	S. V. R. MILLER	SEWELL	WILLIAMS
J. M. CLARK	I. I. HAYES	MOOERS	SHANLEY	WINCH
CORMACK	HENRY			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to authorize the town of Otsego, in the county of Otsego, to issue bonds to redeem and pay the bonds issued by said town in aid of the Cooperstown and Susquehanna Valley Railroad Company, by virtue of chapter 758 of the Laws of 1865, and by virtue of chapter 422 of the Laws of 1867," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81. NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HURD	NIVEN	SHANLEY
ALLEN	CRANDALL	JONES	NORTH	SHEARD
ALVORD	CROWLEY	KEEGAN	NOYES	SHELDON
BATHE	DEYOE	KELLOGG	PALMER	SKINNER
BERGEN	FISH	KERN	PARKER	STORY
BERRY	FITZGERALD	LANGNER	PATTENGILL	SUTHERLAND
BROOKS	FLOYD-JONES	LOVELAND	CICERO C. PECK	E. TAYLOR
BROWNING	GALVIN	LOWING	DEWITT C. PECK	THAIN
BRUNDAGE	GILBERT	MAPES	PEEK	THOMSON
BURNS	GRADY	MATTISON	PRESCOTT	TOWNSLEY
CASE	GRIGGS	MCDONOUGH	PROPER	VALENTINE
CHAPPELL	HAVENS	MEAD	PURDY	WEMPLE
CHASE	HEPBURN	MEKEEL	REYNOLDS	WHEELER
CLANCY	HOLBROOK	S. V. R. MILLER	ROBERTS	WILBOR
CLAPP	HOYT	MOOERS	ROWLAND	WILLIAMS
J. M. CLARK	HULME	MEYENBORG	SAWYER	WINCH
CORMACK				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act in relation to arrears of taxes in the city of New York, and to provide for the reissuing of revenue bonds in anticipation of such taxes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HENRY	MEKEEL	PURDY
ALVORD	CRAWFORD	HEPBURN	J. H. MILLER	REYNOLDS
BAKER	CURRAN	HOBBIE	S. V. R. MILLER	ROBERTS
BATHE	DALY	HOLBROOK	MOLLER	SAWYER
BERGEN	DOUGLASS	HOYT	MOOERS	SHANLEY
BERRY	FISH	HULME	MEYENBORG	SHEARD
BROOKS	FITZGERALD	JONES	NEILSON	SHELDON
BROWNING	FLOYD-JONES	KEATOR	NIVEN	SLITER
BRUNDAGE	FLYNN	KEEGAN	NORTH	STRACK
BURNS	FOSTER	KELLOGG	PALMER	SUTHERLAND
CASE	FRANK	LANGNER	PARKER	E. TAYLOR
CHAPPELL	GALVIN	LOVELAND	PATTENGILL	THAIN
CHASE	GILBERT	LOWING	CICERO C. PECK	THOMSON
CLANCY	GRADY	MATTISON	PEEK	VALENTINE
CLAPP	GRIGGS	MCDONOUGH	PIPER	WILBOR
J. CLARK	HAVENS	MEAD	PRESCOTT	WILLIAMS
J. M. CLARK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 125 of the Laws of 1871, entitled 'An act concerning the police life insurance fund, and the powers and duties of the police department of the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 27.

NOES 49.

Those who voted in the affirmative, were

ABBOTT	GALVIN	KEATOR	NIVEN	SAWYER
BEARD	I. I. HAYES	KERN	NORTH	SHEARD
BERGEN	HOBBIE	KING	PARKER	SKINNER
DALY	HOYT	J. H. MILLER	POOL	TERRY
FISH	HULME	NELSON	REYNOLDS	VALENTINE
FLOYD-JONES	JONES			

Those who voted in the negative, were

ALLEN	CLANCY	HAMILTON	NOYES	SLITER
ALVORD	CLAPP	HAVENS	PALMER	STORY
BATHE	J. M. CLARK	HENRY	CICERO C. PECK	STRACK
BERRIGAN	CORMACK	HOLAHAN	PEEK	SUTHERLAND
BROOKS	COSAD	LOVELAND	PIPER	E. TAYLOR
BROWNING	CRANDALL	LOWING	PRESCOTT	THOMSON
BRUNDAGE	CURRAN	MCDONOUGH	PROPER	TOWNSLEY
BURNS	FRANK	MEAD	ROBERTS	WEMPLE
CHAPPELL	GILBERT	MOLLER	SHANLEY	WILLIAMS
CHASE	GRADY	MOOERS	SHELDON	

Mr. Fish moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Piper moved to reconsider the vote by which the adverse report from the committee on canals, on the Assembly bill entitled "An act to secure to the public the free use of the canals," was agreed to, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry offered, for the consideration of the House, a preamble and resolution in the words following :

Whereas, It appears that Edward R. Scott, of the city of New York, and John Duffy, of the town of White Plains, have been duly subpoenaed to appear before the committee on privileges and elections, to testify in the investigation pending before said committee concerning the claims of Fordham Morris to the seat of Ambrose Purdy in the Assembly ; and

Whereas, The said Edwin R. Scott and John Duffy have refused to appear and testify before the said committee in said case ;

Resolved, That an attachment issue from this Assembly directing the Sergeant-at-Arms to bring the bodies of the said Edward R. Scott and the said John Duffy before this Assembly, forthwith, and then and there to be disposed of as the Assembly shall deem fit, in accordance with its rules and the law, and him the said Edward R. Scott, and him the said John Duffy, in his custody to safely keep until they shall severally be discharged by the order of this Assembly, or otherwise disposed of.

Mr. Alvord moved to amend said resolution by striking out the words "before the Assembly," and insert the words "before the bar of the House."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

By unanimous consent,

Mr. Speaker introduced a bill entitled "An act to legalize the official acts of Francis E. Clark as notary public of Westchester county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, said bill was ordered to a third reading.

On motion of Mr. Douglass, and by unanimous consent, the Assembly bill entitled "An act to reduce rates of ferriage on certain ferry routes between the cities of New York and Brooklyn, and to establish rates of ferriage thereon, and to regulate the running of said ferries," was ordered to be printed.

By unanimous consent,

Mr. Peek introduced a bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' so far as the same relates to the village of Northville, in the county of Fulton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

By unanimous consent,

Mr. Meyenborg introduced a bill entitled "An act to amend chapter 94 of the Laws of 1867, entitled 'An act to alter and amend an act to incorporate the Greenwood cemetery,' passed April 11, 1839, in relation

to the election of trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Sliter introduced a bill entitled "An act to amend chapter 549 of the Laws of 1867, entitled 'An act in relation to the cutting of ice in the Hudson river, providing additional safeguards to the traveling public, and conferring jurisdiction over offenses in said act,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Andrews introduced a bill entitled "An act relating to railroads conducted by receivers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Keegan presented a petition of the board of town officers of the town of Hempstead for the passage of the bill for improving Freeport creek; which was read and referred to the committee on ways and means.

On motion of Mr. Alvord, and at 12 o'clock and 30 minutes, the House adjourned.

MONDAY, MARCH 18, 1878.

The House met pursuant to adjournment.

Prayer by Rev. John Humpstone.

The journal of Friday, March 15, was read and approved.

Mr. Alvord rose to a question of privilege and said: I rise to a question of privilege. I have been, as I think, rather unkindly dealt with in the newspapers of the day, on various occasions during this session, but I have postponed speaking about it because I didn't think I could find language to meet the necessities of the occasion. But I have had placed in my hand within a very short time an opinion in regard to this matter of the press from one of their own fraternity—an editor who can sit quiet for a month and then come out and give his honest views in regard to editors, and making his remarks my own, I propose to read them, premising that it is owing unquestionably to the religious zeal and to the religious expressions of the press that they act in the way they do:

"It is, in truth, the religious sincerity of the newspaper which gives it its power. No one ever supposes that he is reading in the clear columns of his newspaper statements that the editor does not believe. It never occurs to the reader that the most selfish personal interest dictates this article and that argument. He never says to himself as he reads that this is only the gammon of A, or the spite of B, or the jealousy of C. He does not smile at the solemn, moral airs which bitter personal disappointment gives itself in the press, and never detects in the strident preacher a contemptible striker or blackmailer. He never sees a newspaper change sides, warmly extolling to-day those whom yesterday it derided, and suddenly sneering at those whom but now it could not sufficiently flatter. He never sees Micawber in the newspaper

strenuously asserting financial honor, or Shylock praising humanity, or Mawworm eulogizing sincerity. Still less does he see Thomas Paine defending orthodoxy, or Falstaff and Bardolph celebrating temperance and the personal virtues. The reason is that very religious sensibility of the press which has been lately unveiled.

"Except for this fact the awe that doth hedge the press might suffer. If it were supposed that newspapers were ever used as vehicles of private malice, to promote selfish schemes, to slander men known to be innocent, to infuriate party spirit, to gratify grudges and avenge disappointments, to 'cook' news, to levy blackmail, to pander to mobs, to affect honor and decency and piety, to attack men who said what the newspapers thought, but did not dare to say—if all these things were supposed to be possible or common in the press, the name of 'newspaper man' would not, perhaps, as now, invite universal confidence and respect. But this belief is fortunately prevented by the sound views upon religion which the press expresses. Does the ingenuous reader recall Barry Lyndon's mother? 'Often and often has she talked to me and the neighbors regarding her own humility and piety, pointing them out in such a way that I would defy the most obstinate to disbelieve her.' Reading the religious articles of the newspapers, Barry Lyndon would be perplexed in which office to seek his mother."

The Sergeant-at-Arms appeared before the bar of the House, having in custody John Duffy and Edward R. Scott, in pursuance to a resolution of the House, adopted on Friday, March 15, 1878, and made the following report:

To Hon. JAMES W. HUSTED, *Speaker of the Assembly*:

Pursuant to the orders of the Assembly, adopted March 15, 1878, in the following words:

"On motion of Mr. Terry,

"*Whereas*, It appears that Edward R. Scott, of the city of New York, and John Duffy, of the town of White Plains, have been duly subpoenaed to appear before the committee on privileges and elections, to testify in the investigation pending before said committee, concerning the claims of Fordham Morris to the seat of Ambrose H. Purdy, in the Assembly; and,

"*Whereas*, The said Edward R. Scott and John Duffy have refused to appear and testify before the said committee in said case,

"*Resolved*, That an attachment issue from this Assembly, directing the Sergeant-at-Arms to bring the bodies of the said Edward R. Scott and the said John Duffy before the bar of the House, forthwith, and then and there to be disposed of as the Assembly shall deem fit, in accordance with its rules and the law, and him the said Edward R. Scott, and him the said John Duffy, in his custody to safely keep, until they shall severally be discharged by the order of this Assembly, or otherwise disposed of."

I have arrested the said Edward R. Scott and the said John Duffy, and now present the said Edward R. Scott and the said John Duffy before the bar of the House.

Dated at the Capitol, in the city of Albany, this 18th day of March, 1878.

CHARLES A. ORR,

Sergeant-at-Arms of the Assembly.

Mr. Speaker, addressing Edward R. Scott, said: Edward R. Scott, you are presented before the bar of this House, charged, according to

the resolution just read, at the time specified in the report, of violating the rules of the House in refusing to appear before a committee. What have you to say ?

Mr. Scott replied : I meant no disrespect to the House. I was up here once before and testified before the honorable committee. I was afterward served with a subpoena to appear in New York. I did not appear simply because after I was up here before, I was incarcerated in the city prison in New York for two weeks, and I was suffering from rheumatism, and I supposed I would be intimidated again, as I was before, and therefore I did not appear, under advice of counsel. I meant no disrespect to the House, or to the honorable body present. When Mr. Orr, the Sergeant-at-Arms, came after me, I surrendered myself to him. I had no disrespect for the mandate of the House.

Mr. Alvord moved that Edward R. Scott remain in the custody of the Sergeant-at-Arms until he shall have testified before the committee on privileges and elections.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then addressed John Duffy, and asked him as follows : "You are brought before the bar of the House for refusing to appear before a committee of this House. What have you to say ?"

Mr. Duffy then stated his excuse in words following :

My excuse is that I am the assistant jailer of the Westchester county jail. At the time fixed for my appearance as a witness the sheriff was absent, and the deputy sheriff and jailer were also absent. I was therefore compelled to choose between a disobedience of the subpoena and a desertion of my post. In view of the responsibility that rested upon me, and of the danger to the public peace and welfare involved in my leaving the jail, thereby enabling the prisoners to escape, I determined that there was but one course for me to pursue, and that that was to stand in the breach. My disobedience of the subpoena was from no desire to disobey it, but simply from my sense of duty to the public and to my superior officers, who had devolved upon me the responsibility for the safe keeping of the prisoners placed in my charge.

Mr. Bergen moved that the excuse of John Duffy be received, and he be purged of his contempt, and that said Duffy be discharged from the custody of the Sergeant-at-Arms on condition that he appear before the committee on privileges and elections to-morrow (Tuesday, March 19th), to which said John Duffy agreed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill entitled as follows :

"An act to amend chapter 220 of the Laws of 1862, entitled 'An act to reorganize the State Asylum for Idiots, and to provide for the government and management thereof.'"

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Cormack introduced a bill entitled "An act to amend the statutes in reference to the collection of taxes in the county of Delaware," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hurd introduced a bill entitled "An act to change the boundary line between Erie and Wyoming counties," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on civil divisions.

Mr. Waring introduced a bill entitled "An act to confirm the official acts of Ralph L. Cook, as notary public of Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. I. I. Hayes introduced a bill entitled "An act to amend chapter 184 of the Laws of 1866, entitled 'An act for the better protection of seamen in the port and harbor of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a bill entitled "An act to amend chapter 42 of the Laws of 1856, entitled 'An act to incorporate the College of Pharmacy of the city of New York,' passed March 20, 1856," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fish introduced a bill entitled "An act relating to the appointment of heads of departments and other municipal officers in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Keegan introduced a bill entitled "An act to improve Steinway avenue, Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Nelson introduced a bill entitled "An act to amend subdivision 2 of section 5 of title 1, chapter 13, part 1, of the Revised Statutes of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Nelson offered, for the consideration of the House, a concurrent resolution in the words following:

Concurrent resolution, proposing an amendment to article 6 of the Constitution, by the addition of a new section, to be called section 29.

Resolved (if the Senate concur), That article 6 of the Constitution be amended, by adding thereto the following section:

§ 29. On the first day of January, 1881, the Court of Common Pleas for the city and county of New York, and the Superior Court for the city of New York, shall cease to exist, and all the jurisdiction of said courts shall vest in, and all the judges of said courts then in office shall become justices of, the Supreme Court; and the judicial power in civil and criminal cases, and any judicial power as a county judge, and other special authority and jurisdiction now vested in any or either of said courts, shall vest in the justices of the Supreme Court for the first department, subject to such provisions as may be made by law for the exercise thereof; and thereupon the judges so transferred shall hold their places for the remainder of the respective terms for which they shall have been chosen or appointed; and suits, actions, appeals, motions, and proceedings, then pending in the courts so abolished, or before any judge or justice thereof, shall be and become immediately transferred to the Supreme Court for the first department, without prejudice to any undertaking, bond, pleading, deposition, or other entry or proceeding

previously had therein; and thereafter there shall be 17 justices of the Supreme Court for the first department (which shall consist of the city and county of New York), chosen or appointed as provided by the Constitution of this State. The salaries of all said justices, except five, shall be provided for and paid by the city of New York, and the Legislature shall have power to alter, fix and equalize the salaries of the judges. The Legislature may, by law, provide for organizing an additional general term in the first department of the Supreme Court, to be composed of a presiding justice and not more than three other justices.

Resolved (if the Senate concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity to section 1 of article 13 of the Constitution, it be published for three months previous to the time of such election.

Ordered, That said resolution be laid upon the table.

Mr. Rowland introduced a bill entitled "An act to repeal subdivision 18 of section 21, chapter 406 of the Laws of 1873, relating to licenses of saloons and eating-houses in the city of Ogdensburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Sewell introduced a bill entitled "An act to authorize the board of supervisors of Delaware county to issue bonds to provide for payment of the indebtedness of said county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sewell, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOLBROOK	NELSON	SHANLEY
ALLEN	COSAD	HOYT	NIVEN	SHEARD
ALVORD	CRANDALL	HULME	NORTH	SHELDON
BAKER	CURRAN	HURD	NOYES	SKINNER
BEARD	DALY	JONES	PALMER	STORY
BERGEN	FISH	KEEGAN	PARKER	SUTHERLAND
BERRIGAN	FLOYD-JONES	KERN	PATTENGILL	TERRY
BOUCK	FOSTER	KING	CICERO C. PECK	THOMSON
BROOKS	GALVIN	LOVELAND	DEWITT C. PECK	VALENTINE
BROWNING	GRADY	LOWING	PEEK	WAKELY
BRUNDAGE	GRIGGS	MATTISON	PIPER	WARING
CASE	HAMILTON	MENEAL	POOL	WILBOR
CHASE	I. I. HAYES	S. V. R. MILLER	REYNOLDS	WILLIAMS
CLAPP	HENRY	MOLLER	ROBERTS	WILLIS
J. M. CLARK	HEPBURN	MOOERS	ROWLAND	WINCH
CONVERSE	HOLAHAN	NEILSON	SEWELL	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Wilbor introduced a bill entitled "An act to authorize the trustees of the village of Valatie to borrow money to be expended in the purchase of a suitable building and lot for the purpose of a public hall for the use

of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

Mr. Moller introduced a bill entitled "An act to annex the village of West Mount Vernon, in the county of Westchester, to the village of Mount Vernon, in said county, to confirm the tax sales heretofore held in the said village of West Mount Vernon, and to provide for the division of the said village of Mount Vernon into wards after the annexation of the said village of West Mount Vernon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on civil divisions.

Mr. Hulme introduced a bill entitled "An act to amend part 1, chapter 16, title 1, article 1 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Messrs. Thomson, Chappell, Mattison, Roberts, Palmer, Sutherland, Sawyer, Cormack, Noyes, Sheard, and Mekeel, presented petitions in favor of a modification of the assessment laws; which were read and referred to the committee on ways and means.

Messrs. Thomson, Palmer, Sawyer, Noyes, and Sheard presented petitions in favor of the passage of a law for the formation of mutual insurance companies; which were read and referred to the committee on insurance.

Messrs. Williams and Allen presented petitions of members of the Ancient Order of United Workmen for a modification of their charter; which were read and referred to the committee on general laws.

Messrs. Berry, Willis, and Sewell presented petitions against any modification of the excise laws; which were read and referred to the committee on internal affairs.

Mr. Mekeel presented a petition of citizens of Schuyler county in favor of the appointment of a board of railway commissioners for this State; which was read and referred to the committee on railroads.

Mr. Alvord presented a petition for the adoption of Heath's detailed estimates to increase the capacity of the canal to 310 tons on six foot draught, or 258 tons on five foot draught; which was read and referred to the committee on canals.

Also, a remonstrance of citizens of Onondaga county against the bill relating to savings banks; which was read and referred to the committee on banks.

Mr. Brundage presented a petition of citizens of Steuben county in relation to the school districts of this State; which was read and referred to the committee on public education.

Mr. Brooks presented a petition of citizens of New Brighton for an amendment to the village charter; which was read and referred to the committee on affairs of villages.

Also, a petition of citizens of Richmond county in relation to the drainage of lands on Staten Island; which was read and laid upon the table.

Mr. Hurd presented a petition in relation to the boundary line of Erie county; which was read and referred to the committee on civil divisions.

Also, a petition of the Buffalo Building Exchange in relation to the passage of a pipe line bill; which was read and referred to the committee on the judiciary.

Mr. Niven presented a petition of attorneys and counsellors of Sullivan

county asking for the repeal of the Code of Civil Procedure; which was read and referred to the committee on the judiciary.

Mr. Gilbert presented a petition against the passage of a bill relative to fares on the Ogdensburgh and Lake Champlain Railroad; which was read and referred to the committee on railroads.

Mr. Moller presented a petition of citizens of Pelham, Westchester county, in relation to the passage of the bill limiting the power of the officers of said village; which was read and referred to the committee on ways and means.

Mr. Berry called from the table a report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 166, No. 147, "An act in relation to the keeping open of certain public offices in the county of Westchester."

G. O. 193, No. 171, "An act to create a board of alms, and to secure the better application of funds to relieve the poor in the town of German Flats, in the county of Herkimer." [With amendments.]

Senate G. O. 157, No. 27, "An act to amend chapter 147 of the Laws of 1864, entitled 'An act to provide for the erection of a town hall in the town of Jamaica, in the county of Queens.'"

Senate, G. O. 217, No. 73, "An act to amend chapter 225, of the Laws of 1851, entitled 'An act to incorporate the Ladies' Union Aid Society of the Methodist Episcopal Church, in the city of New York.'"

G. O. 198, No. 176, "An act to amend chapter 702, of the Laws of 1870, entitled 'An act to amend the charter of Little Falls,' passed May 6, 1870."

G. O. 171, No. 151, "An act to amend an act, entitled 'An act to incorporate The Hall Association of the Order der Freiheit, of the city of Buffalo,' passed April 11, 1870."

Senate G. O. 242, No. 92, "An act to confirm the official acts of Samuel H. Case, John M. Walkins and William W. Snow, commissioners of excise in and for the town of Oneonta, in the county of Otsego."

G. O. 206, No. 182, "An act to change the name of the Union Free School District Number One of the town of Clarence."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bills were ordered engrossed for a third reading.

Mr. Case moved to reconsider the vote by which the adverse report of the committee on general laws was agreed to on the bill entitled "An act to repeal subdivision 3 of section 2 of chapter 769 of the Laws of 1857, and chapter 530 of the Laws of 1872, and that the same be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Abbott, Int. No. 545, entitled "An act to amend section 8 of chapter 608 of the Laws of 1871, entitled 'An act to amend an act to provide for the incorporation of fire insurance companies,' passed June 25, 1853," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Brooks, Int. No. 558, entitled "An act to repeal certain acts in relation to swamps and the drainage of farm lands," reported in favor of the passage of the same, with the title

amended so as to read "An act to repeal chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the drainage of swamps, marshes and other low and wet lands, and for draining lands; also, chapter 303 of the Laws of 1876, entitled An act to amend an act entitled An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the draining of swamps, marshes and other low or wet lands, and for draining farm lands," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Speaker presented a communication from the corporation counsel of the city of New York relative to public education in said city, which was read and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Brooks offered, for the consideration of the House, a resolution in the words following:

Resolved, That Senate bill No. 127, entitled "An act to authorize the merging of corporations organized under the act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853, and of the acts amending or extending the same," which passed the Senate on the 15th inst., be substituted for Assembly bill No. 141, on same subject, now upon the general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hepburn offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 238, entitled "An act to provide for maintaining the solvency of life insurance companies, and protecting the rights of policy holders," be made a special order for Wednesday morning next, immediately after reading the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Fish offered, for the consideration of the House, a concurrent resolution in the words following:

Concurrent resolution, proposing an amendment to section 25 of article 3 of the Constitution:

Resolved (if the Senate concur), That section 25 of article 3 of the Constitution be amended so as to read as follows:

Section 25. Sections 17 and 18 of this article shall not apply to the salary of any municipal officer, nor to the amendments to any bill which shall be reported to the Legislature by commissioners who have been appointed pursuant to law to revise the Statutes.

Ordered, That said resolution be laid upon the table.

Mr. Daly offered, for the consideration of the House, a resolution in the words following:

Resolved, That the corporation counsel of the city of New York be required, within twenty days after the passage of this resolution, to report to this Assembly, for its information and action, a list and statement as far as possible, tabulated and arranged, of the number, nature and amount of all the claims for moneys or damages, which are in suit against the city or county, or are now on file with or in possession of the finance department of said city and county without having been sued, together with names of claimants or assignees of claims or of plaintiffs in such suits; and also a list or statement (tabulated and

arranged as aforesaid) of every judgment obtained against said city and county since the first day of January, 1877, until the receipt of this resolution, together with the nature and amounts thereof, with the names of the persons or corporations owning or purporting to own said judgments, and whether any, and if any, how many of said judgments have been paid or appealed, and, if not paid, their present condition, and how many and which of said judgments were consented to on behalf of the city or county; and also a statement of the interest, costs and allowances respectively included in such judgments; also the nature, number and amounts of any of the claims aforesaid which have been adjusted or paid, or are in process of payment, adjustment or compromise.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. C. C. Peck offered, for the consideration of the House, a preamble and resolution in the words following:

Whereas, The recent discussion, in this House, on the subject of apportionment, has developed the fact that a wide difference of opinion exists among the members in regard to the requirements of the Constitution upon that subject; and

Whereas, It is manifest that the provisions of the Constitution, in that regard, will admit of but one correct construction; and

Whereas, It is all-important that such an apportionment shall be made by this Legislature as will do no violence to that instrument; therefore,

Resolved, That the Attorney-General of this State be requested, at his earliest convenience, to communicate to this Assembly, what, in his opinion, is the true method, under the Constitution, of arranging the Senate districts, and apportioning members of Assembly, among the several counties of the State.

Debate arising thereon,

Ordered, That said preamble and resolution be laid upon the table.

Mr. Berry offered, for the consideration of the House, a preamble and resolution in the words following:

Whereas, The business of the sub-committee of the whole is such as to require the services of a messenger for the proper dispatch of business, therefore be it

Resolved, That John K. Tyler be and he is hereby appointed messenger to the sub-committee of the whole for the remainder of this session, to be paid the same compensation as is allowed to messengers of the other committees and in the same way.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, as follows:

AYES 65.

NOES 26.

Those who voted in the affirmative, were

ABBOTT	CHASE	HOLBROOK	NORTH	SHELDON
ALLEN	CLAPP	HOYT	NOYES	STORY
ALVORD	J. M. CLARK	HULME	PARKER	SUTHERLAND
ANDREWS	CRANDALL	HURD	PATTENGILL	J. T. TAYLOR
BAKER	DALY	JONES	PEEK	TERRY
BERGEN	DEYOE	KEEGAN	POOL	THAIN
BERRIGAN	FISH	KERN	REYNOLDS	VALENTINE
BEARD	FLOYD-JONES	KING	ROWLAND	WAKELY
BROWNING	FOSTER	LOWING	SAWYER	WARING
BRUNDAGE	GRIGGS	MAPES	SEEBACHER	WILBOR

BURNS	I. I. HAYES	S. V. R. MILLER	SEWELL	WILLIAMS
CASE	HENRY	MOLLER	SHANLEY	WILLIS
CHAPPELL	HOLAHAN	MOOERS	SHEARD	WINCH

Those who voted in the negative, were

BEARD	CURRAN	MATTISON	PALMER	SEARING
BOUCK	GRADY	MEAD	CICERO C. PECK	SKINNER
BROOKS	HAMILTON	MEKEEL	DEWITT C. PECK	THOMSON
CONVERSE	HEPBURN	MEYENBORG	PIPER	TOWNSLEY
CORMACK	LOVELAND	NELSON	ROBERTS	WILLERS
COSAD				

When the name of Mr. Niven was called he asked to be and was excused from voting.

Mr. Williams offered, for the consideration of the House, resolutions in the words following :

Whereas, There are now before Congress several bills seeking to provide for equity in rates of freight on property transported by common carriers in this country ; therefore,

Resolved (if the Senate concur), That our Senators and members of the House of Representatives in Congress assembled be and they are hereby requested to use their influence to secure the enactment of any wise and equitable law having for its object the prevention of violent and injurious fluctuations and unjust discriminations in rates of freight imposed by common carriers upon property transported by them in this country.

Resolved, That the Clerk of the Assembly be directed to transmit a copy of the foregoing preamble and resolutions to each Senator and member of the House of Representatives of the State of New York.

Ordered, That said resolution be laid upon the table.

Mr. Sutherland offered, for the consideration of the House, a resolution in the words following :

Resolved, That the special committee, heretofore appointed to examine and report upon matters pertaining to the Normal schools of the State, be directed also to investigate and report whether any teachers or officials of the State Normal schools, in the employ and service of the State, have been or are directly or indirectly interested, pecuniarily, in any school books or school apparatus used in them and the common schools of the State.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence resolutions in the words following :

Whereas, A bill has been reported in the House of Representatives for the sale and disposal of the United States Arsenal, known as the Watervliet Arsenal, established during the war of 1812, and ever since used for the manufacture and storage of arms and other military equipments ; and

Whereas, By said bill it is proposed to abandon said arsenal as a military workshop and storehouse, to the serious detriment of the general government, and especially of the State of New York ; therefore

Resolved (if the Assembly concur), That we do earnestly protest against the proposed measure as inexpedient and unjust on the part of the federal union and destructive to the interests and pursuits of a very large class of citizens of the State of New York.

Resolved (if the Assembly concur), That the Senators and Representatives from the State of New York, in the Congress of the United States, are respectfully requested to urge an amendment to said bill which

will preserve the Watervliet Arsenal from sale and abandonment by the federal government.

Resolved (if the Assembly concur), That a copy of the foregoing preamble and resolutions be immediately transmitted to each Senator and Representative from this State in the Congress of the United States.

On motion of Mr. Curran, and by unanimous consent, said resolution was considered at this time.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

Mr. Burns, offered for the consideration of the House, the following resolution :

Resolved, That the Superintendent of Prisons be requested to report to this House within ten days, the parties to, terms and conditions of, each and every contract for convict labor (now in force) in the State prisons or other reformatory institutions over which he has control, stating the number of convicts employed at each prison or reformatory institution under each contract separately.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Brooks moved to lay all orders of business on the table, for the purpose of taking up order of business general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend section 21 of article 3, title 3, chapter 6, part 1 of the Revised Statutes."

"An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the first day of October, 1878, and to supply in part a deficiency in the Sinking Fund, under article 7, section 3 of the Constitution."

"An act to amend chapter 484 of the Laws of 1862, entitled 'An act in relation to the courts in the city and county of New York,' passed April 24, 1862."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Griggs, from said committee, reported progress on the first and last named bills, and asked and obtained leave to sit again.

Mr. Terry moved to discharge the committee of the whole from the further consideration of the first named bill, and that the same be ordered engrossed for a third reading.

Mr. Terry moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Terry, and it was determined in the affirmative.

Mr. Griggs, from the same committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

On motion of Mr. Thomson, and at 10 o'clock and 24 minutes, the House adjourned.

TUESDAY, MARCH 19, 1878.

The House met pursuant to adjournment.

Prayer by Rev. B. B. Loomis.

The journal of yesterday was read and approved.

A communication was received and read from the Governor in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *March 15, 1878.* }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, I return for amendment Assembly bill No. 1, entitled "An act to amend chapter 446 of the Laws 1877, entitled 'An act to amend chapter 611 of the Laws of 1869, entitled An act to incorporate the village of West Mount Vernon, county of Westchester.'"

L. ROBINSON.

Mr. Moller moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HOYT	NORTH	SHEARD
ALLEN	J. M. CLARK	HURD	NOYES	SHELDON
ALVORD	CONVERSE	JONES	PALMER	SKINNER
ANDREWS	CRANDALL	KEATOR	PARKER	SUTHERLAND
ASTOR	CRAWFORD	KEEGAN	PATTENGILL	J. T. TAYLOR
BAKER	CROWLEY	KELLOGG	CICERO C. PECK	TERRY
BATHE	CURRAN	KERN	DEWITT C. PECK	THAIN
BEARD	DEYOE	KING	PEEK	THOMSON
BERGEN	FISH	LANGNER	PIPER	TOWNSLEY
BERRIGAN	FLOYD-JONES	LOVELAND	POOL	VALENTINE
BERRY	FOSTER	MATTISON	PRESCOTT	WAKELY
BOUCK	GALVIN	MEAD	PURDY	WARING
BROOKS	GRIGGS	J. H. MILLER	ROWLAND	WILLERS
CHAPPELL	HALLIDAY	S. V. R. MILLER	SAWYER	WILLIS
CHASE	HOBBIE	MOLLER	SEARING	WORTH
CLANCY	HOLBROOK	MOOERS	SEEBACHER	

On motion of Mr. Moller, and by unanimous consent, said bill was amended in the words following:

Strike out all of section 1 down to section 25, and insert the following:

"SECTION 1. That part of section 1 of chapter 446 of the Laws of 1877, entitled 'An act to amend chapter 611 of the Laws of 1869, entitled An act to incorporate the village of West Mount Vernon, county of Westchester,' constituting the amended section 25 of chapter 611 of the Laws of 1869, is hereby amended so as to read as follows:

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor hereof, and three-fifths being present, as follows:

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HOLBROOK	MOOERS	SHELDON
ALLEN	CONVERSE	HOYT	NORTH	SKINNER
ALVORD	CORMACK	HULME	NOYES	STORY
ANDREWS	CRANDALL	HURD	PARKER	SUTHERLAND
ASTOR	CRAWFORD	JONES	PATTENGILL	J. T. TAYLOR
BAKER	CROWLEY	KEATOR	CICERO C. PECK	TERRY
BATHE	DALY	KEEGAN	DEWITT C. PECK	THAIN
BEARD	DEYOE	KELLOGG	PEEK	THOMSON
BERGEN	FISH	KERN	PIPER	TOWNSLEY
BERRIGAN	FLOYD-JONES	KING	POOL	VALENTINE
BERRY	FOSTER	LANGNER	PRESCOTT	WADSWORTH
BOUCK	GALVIN	LOVELAND	PURDY	WAKELY
BROOKS	GILBERT	LOWING	ROWLAND	WARING
BRUNDAGE	GRIGGS	MATTISON	SAWYER	WHEELER
CHAPPELL	HALLIDAY	MEAD	SEARING	WILLERS
CHASE	HAMILTON	J. H. MILLER	SEEBACHER	WILLIS
CLANCY	HAVENS	S. V. R. MILLER	SHANLEY	WORTH
CLAPP	HOBBIE	MOLLER	SHEARD	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Bergen introduced a bill entitled "An act to amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Alvord introduced a bill entitled "An act to amend chapter 152 of the Laws of 1877, entitled 'An act to amend chapter 389 of the Laws of 1876, entitled An act to amend chapter 504 of the Laws of 1875, entitled An act to amend chapter 455 of the Laws of 1874, entitled An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York; also, of Clyde and Seneca rivers, in the counties of Wayne and Cayuga,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

By unanimous consent,

Mr. Beard introduced a bill entitled "An act to empower the trustees of the village of Horse Heads to build a dam across the Chemung canal, at any place they may select south of the junction of the Chemung canal and feeder, within the limits of the corporation of the village of Horse Heads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent,

Mr. Moller introduced a bill entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester, as amended by chapter 245 of the Laws of 1875, and further amended by chapter 227 of the Laws of 1877,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Searing introduced a bill entitled "An act to further amend chapter 692 of the Laws of 1866, entitled 'An act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,'" which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Mooers introduced a bill entitled "An act relative to the collection of taxes in the town of Plattsburgh, in the county of Clinton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition and remonstrance on the same subject; which were read and referred to the same committee.

Mr. Speaker then announced the special order of the day being "An act to organize the Senate districts, and for the apportionment of the members of Assembly of this State."

The House then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows :

"An act to organize the Senate districts, and for the apportionment of the members of Assembly of this State."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fish, from said committee, reported in favor of the passage of the same, with amendments.

Mr. Halliday moved to amend the report of the committee of the whole, by striking out the first section of said bill in the words following :

SECTION 1. The Senate districts of this State, from and after the passage of this act, shall consist as follows :

First. The First Senate district shall consist of the counties of Queens and Suffolk.

Second. The Second Senate district shall consist of the present First, Third, Sixth, Eighth, Ninth, Tenth, Twelfth, Twentieth and Twenty-second wards of the city of Brooklyn, county of Kings.

Third. The Third Senate district shall consist of the present Second, Fourth, Fifth, Seventh, Eleventh, Nineteenth, Twenty-third, Twenty-fourth and Twenty-fifth wards of the city of Brooklyn, and the towns of Flatbush, Flatlands, Gravesend, New Lots and New Utrecht, in the county of Kings.

Fourth. The Fourth Senate district shall consist of the present Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth and Twenty-first wards of the city of Brooklyn, county of Kings.

Fifth. The Fifth Senate district shall consist of Richmond county, and the present First, Second, Third, Fourth, Fifth, Sixth and Seventh wards, in the city and county of New York.

Sixth. The Sixth Senate district shall consist of the present Ninth, Fifteenth and Sixteenth wards of the city of New York; so much of the present Eighth ward of said city as lies between Canal, Varick and West Houston streets and Broadway, and so much of the present Eighteenth ward of said city as lies between Sixth avenue and Second avenue, Twenty-third street and Fourteenth street.

Seventh. The Seventh Senate district shall consist of the present Eleventh, Thirteenth and Seventeenth wards of the city and county of New York.

Eighth. The Eighth Senate district shall consist of so much of the present Eighteenth ward of the city of New York, as lies within Fourteenth street, East Twenty-sixth street, the East river and the Second avenue; and so much of the present Twenty-first and Nineteenth wards of said city, as lies east of Third avenue; so much of the present Twelfth

ward of said city as lies within Eighty-sixth street, Third avenue, One Hundred and Thirteenth street, Fourth avenue and Harlem river, including Blackwell's, Ward's and Randall's Islands.

Ninth. The Ninth Senate district shall consist of so much of the present Eighteenth ward of the city of New York, as lies between Sixth avenue, Twenty-third street, Second avenue and Twenty-sixth street; so much of the present Twentieth ward of said city as lies within Twenty-sixth street, Ninth avenue, Thirty-fifth street, Eighth avenue, Fortieth street and Sixth avenue; so much of the Twenty-second ward of said city, as lies between Fortieth street, Eighth avenue, Forty-second street, Ninth avenue, Fifty-fifth street and Sixth avenue; so much of the present Twenty-first and Nineteenth wards of said city as lies west of Third avenue, and so much of the present Twelfth ward of said city, as lies within Eighty-sixth street, Sixth avenue, One Hundred and Tenth street, Eighth avenue, One Hundred and Thirtieth street, Fourth avenue, One Hundred and Seventh street and Third avenue.

Tenth. The Tenth Senate district shall consist of the present Nineteenth ward, and that part of the present Twenty-second ward as is bound by Hudson river on the west, by south side of West Forty-seventh street on the north, by the west side of Sixth avenue on the east, and the north side of West Fortieth street from Sixth avenue to Hudson river on the south, in the city and county of New York.

Eleventh. The Eleventh Senate district shall consist of that part of the present Twenty-second ward as runs along Hudson river on the west, from north side of West Forty-seventh street to the south side of West Eighty-sixth street; on north side from Hudson river along the south side of West Eighty-sixth street, easterly to the Sixth avenue; on east side from West Eighty-sixth street along the west side of Sixth avenue, south to West Forty-seventh street; on south side from Sixth avenue along the north side of West Forty-seventh street westward to the Hudson river, and the Twelfth, Twenty-third, and Twenty-fourth wards of the city and county of New York.

Twelfth. The Twelfth Senate district shall consist of the counties of Westchester and Putnam.

Thirteenth. The Thirteenth Senate district shall consist of the counties of Orange, Rockland, and Sullivan.

Fourteenth. The Fourteenth Senate district shall consist of the counties of Ulster, Schoharie, and Greene.

Fifteenth. The Fifteenth Senate district shall consist of the counties of Dutchess and Columbia.

Sixteenth. The Sixteenth Senate district shall consist of the counties of Rensselaer and Washington.

Seventeenth. The Seventeenth Senate district shall consist of the county of Albany.

Eighteenth. The Eighteenth Senate district shall consist of the counties of Saratoga, Fulton, Hamilton, Montgomery, and Schenectady.

Nineteenth. The Nineteenth Senate district shall consist of the counties of Clinton, Essex, and Warren.

Twentieth. The Twentieth Senate district shall consist of the counties of St. Lawrence and Franklin.

Twenty-first. The Twenty-first Senate district shall consist of the counties of Delaware, Otsego, and Herkimer.

Twenty-second. The Twenty-second Senate district shall consist of the counties of Oneida and Lewis.

Twenty-third. The Twenty-third Senate district shall consist of the counties of Oswego and Jefferson.

Twenty-fourth. The Twenty-fourth Senate district shall consist of the counties of Onondaga and Cortland.

Twenty-fifth. The Twenty-fifth Senate district shall consist of the counties of Broome, Madison, and Chenango.

Twenty-sixth. The Twenty-sixth Senate district shall consist of the counties of Cayuga, Wayne, and Seneca.

Twenty-seventh. The Twenty-seventh Senate district shall consist of the counties of Chemung, Steuben, and Tioga.

Twenty-eighth. The Twenty-eighth Senate district shall consist of the counties of Tompkins, Schuyler, Yates, Ontario, and Livingston.

Twenty-ninth. The Twenty-ninth Senate district shall consist of the county of Monroe.

Thirtieth. The Thirtieth Senate district shall consist of the counties of Wyoming, Genesee, Orleans, and Niagara.

Thirty-first. The Thirty-first Senate district shall consist of the county of Erie.

Thirty-second. The Thirty-second Senate district shall consist of the counties of Allegany, Cattaraugus, and Chautauqua.

The same having been offered in the committee of the whole,

Mr. Speaker put the question whether the House would agree to said motion of Mr. Halliday, and it was determined in the negative, as follows :

AYES 55.

NOES 58.

Those who voted in the affirmative, were

ALLEN	J CLARK	GALVIN	MAPES	ROBERTS
BAKER	CONVERSE	GRADY	MCDONOUGH	SEARING
BATHE	CORMACK	HALLIDAY	MEAD	SEEBACHER
BEARD	COSAD	HAMILTON	MOLLER	SHANLEY
BERGEN	CRAWFORD	HAVENS	MEYENBORG	STRACK
BERRIGAN	CROWLEY	HENRY	NELSON	J. T. TAYLOR
BOUCK	DALY	HOLAHAN	NIVEN	THAIN
BROOKS	DAY	KEEGAN	PATTENGILL	THOMSON
BROWNING	DOUGLASS	KELLOGG	CICERO C. PECK	TOWNSLEY
BURNS	FITZGERALD	LANGNER	PIPER	WEMPLE
CLANCY	FLOYD-JONES	LOVELAND	PURDY	WILLERS

Those who voted in the negative, were

ABBOTT	GILBERT	KING	PRESCOTT	TERRY
ALVORD	GRIGGS	LOWING	PROPER	VALENTINE
ANDREWS	I. I. HAYES	MATTISON	REYNOLDS	WADSWORTH
BERRY	HEPBURN	MEKEEL	ROWLAND	WAKELY
BRUNDAGE	HOBBIE	J. H. MILLER	SAWYER	WARING
CASE	HOLBROOK	S. V. R. MILLER	SEWELL	WHEELER
CHAPPELL	HOYT	NOYES	SHEARD	WILBOR
CHASE	HULME	PALMER	SHELDON	WILLIAMS
CLAPP	HURD	PARKER	SKINNER	WILLIS
J. M. CLARK	JONES	DEWITT C. PECK	STORY	WINCH
CRANDALL	KEATOR	PEEK	SUTHERLAND	WORTH
FISH	KERN	POOL		

When the name of Mr. Curran was called, he stated that he was paired with Mr. Graham.

When the name of Mr. Astor was called, he stated that he was paired with Mr. Flynn.

When the name of Mr. Deyoe was called, he stated he was paired with Mr. Neilson.

When the name of Mr. North was called, he stated he was paired with Mr. Frank.

When the name of Mr. Mooers was called, he stated he was paired with Mr. Sliter.

When the name of Mr. J. Hayes was called, he stated he was paired with Mr. E. Taylor.

When the name of Mr. Foster was called, he stated he was paired with Mr. Patterson.

Mr. Halliday then moved to amend said report of the committee, by striking out the districts, "Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, and Thirty-second," and inserting in lieu thereof the following:

Twelfth. Westchester, Putnam and Rockland.

Thirteenth. Orange and Sullivan.

Fourteenth. Dutchess and Columbia.

Fifteenth. Ulster and Greene.

Sixteenth. Albany.

Seventeenth. Reusselaer and Washington.

Eighteenth. Schenectady, Schoharie, Otsego and Delaware.

Nineteenth. Saratoga, Montgomery, Fulton and Hamilton.

Twentieth. Warren, Essex, Clinton and Franklin.

Twenty-first. St. Lawrence and Herkimer.

Twenty-second. Oneida and Lewis.

Twenty-third. Jefferson and Oswego.

Twenty-fourth. Onondaga and Madison.

Twenty-fifth. Cayuga, Cortland and Wayne.

Twenty-sixth. Seneca, Tompkins, Ontario and Yates.

Twenty-seventh. Tioga, Broome and Chenango.

Twenty-eighth. Steuben, Schuyler and Chemung.

Twenty-ninth. Monroe and Orleans.

Thirtieth. Genesee, Livingston, Wyoming and Niagara.

Thirty-first. Erie.

Thirty-second. Allegany, Cattaraugus and Chautauqua.

The same having been offered in the committee of the whole,

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows:

AYES 56.

NOES 57.

Those who voted in the affirmative, were

ALLEN	CONVERSE	GRADY	McDONOUGH	ROBERTS
BAKER	CORMACK	HALLIDAY	MEAD	SEARING
BATHE	COSAD	HAMILTON	MOLLER	SEEBACHER
BEARD	CRAWFORD	HAVENS	MEYENBORG	SHANLEY
BERGEN	CROWLEY	HENRY	NELSON	STRACK
BERRIGAN	DALY	HOLAHAN	NIVEN	J. T. TAYLOR
BOUCK	DAY	KEEGAN	PATTENGILL	THAIN
BROOKS	DOUGLASS	KELLOGG	CICERO C. PECK	THOMSON
BROWNING	FITZGERALD	LANGNER	PIPER	TOWNSLEY
BURNS	FLOYD-JONES	LOVELAND	PROPER	WEMPLE
CLANCY	GALVIN	MAPES	PURDY	WILLERS
J. CLARK				

Those who voted in the negative, were

ABBOTT	GILBERT	KING	POOL	TERRY
ALVORD	GRIGGS	LOWING	PRESCOTT	VALENTINE

ANDREWS	I. I. HAYES	MATTISON	REYNOLDS	WADSWORTH
BERRY	HEPBURN	MEKEEL	ROWLAND	WAKELY
BRUNDAGE	HOBBIE	J. H. MILLER	SAWYER	WARING
CASE	HOLBROOK	S. V. R. MILLER	SEWELL	WHEELER
CHAPPELL	HOYT	NOYES	SHEARD	WILBOR
CHASE	HULME	PALMER	SHELDON	WILLIAMS
CLAPP	HURD	PARKER	SKINNER	WILLIS
J. M. CLARK	JONES	DEWITT C. PECK	STORY	WINCH
CRANDALL	KEATOR	PEEK	SUTHERLAND	WORTH
FISH	KERN			

Mr. Daly moved to amend said report by taking "one member from Cattaraugus county, and also taking one member from Columbia county, and adding the same to New York city," the same having been offered in the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows:

AYES 52.

NOES 59.

Those who voted in the affirmative, were

ALLEN	CONVERSE	GRADY	MEAD	SEARING
BAKER	CORMACK	HALLIDAY	MOLLER	SEEBACHER
BATHE	COSAD	HAMILTON	MEYENBORG	SHANLEY
BERGEN	CRAWFORD	HENRY	NELSON	STRACK
BERRIGAN	CROWLEY	HOLAHAN	NIVEN	J. T. TAYLOR
BOUCK	DALY	KEEGAN	PATTENGILL	THAIN
BROOKS	DAY	KELLOGG	CICERO C. PECK	THOMSON
BROWNING	DOUGLASS	LANGNER	PIPER	TOWNSLEY
BURNS	FITZGERALD	LOVELAND	PURDY	WEMPLE
CLANCY	FLOYD-JONES	MCDONOUGH	ROBERTS	WILLERS
J. CLARK	GALVIN			

Those who voted in the negative, were

ABBOTT	GILBERT	KING	POOL	TERRY
ALVORD	GRIGGS	LOWING	PRESCOTT	VALENTINE
ANDREWS	I. I. HAYES	MAPES	PROPER	WADSWORTH
BERRY	HEPBURN	MATTISON	REYNOLDS	WAKELY
BRUNDAGE	HOBBIE	MEKEEL	ROWLAND	WARING
CASE	HOLBROOK	J. H. MILLER	SAWYER	WHEELER
CHAPPELL	HOYT	S. V. R. MILLER	SEWELL	WILBOR
CHASE	HULME	NOYES	SHEARD	WILLIAMS
CLAPP	HURD	PALMER	SHELDON	WILLIS
J. M. CLARK	JONES	PARKER	SKINNER	WINCH
CRANDALL	KEATOR	DEWITT C. PECK	STORY	WORTH
FISH	KERN	PEEK	SUTHERLAND	

Mr. Piper moved to amend said report by taking "one member from Cattaraugus county, and adding the same to Niagara county," the same having been offered in the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows:

AYES 51.

NOES 58.

Those who voted in the affirmative, were

ALLEN	CORMACK	GRADY	MCDONOUGH	SEARING
BAKER	COSAD	HALLIDAY	MOLLER	SEEBACHER
BATHE	CRAWFORD	HAMILTON	MEYENBORG	SHANLEY
BERRIGAN	CROWLEY	HAVENS	NELSON	STRACK
BOUCK	DALY	HENRY	NIVEN	J. T. TAYLOR
BROOKS	DAY	HOLAHAN	PATTENGILL	THAIN
BROWNING	DOUGLASS	KEEGAN	CICERO C. PECK	THOMSON
BURNS	FITZGERALD	KELLOGG	PIPER	TOWNSLEY
CLANCY	FLOYD-JONES	LANGNER	PURDY	WEMPLE
J. CLARK	GALVIN	LOVELAND	ROBERTS	WILLERS
CONVERSE				

Those who voted in the negative, were

ABBOTT	FISH	KERN	PEEK	SUTHERLAND
ALVORD	GILBERT	KING	POOL	TERRY
ANDREWS	GRIGGS	LOWING	PRESCOTT	VALENTINE
BEARD	I. I. HAYES	MAPES	PROPER	WADSWORTH
BERRY	HEPBURN	MATTISON	REYNOLDS	WAKELY
BRUNDAGE	HOBBIE	MEKEEL	ROWLAND	WARING
CASE	HOLBROOK	J. H. MILLER	SAWYER	WILBOR
CHAPPELL	HOYT	S. V. R. MILLER	SEWELL	WILLIAMS
CHASE	HULME	NOYES	SHEARD	WILLIS
CLAPP	HURD	PALMER	SKINNER	WINCH
J. M. CLARK	JONES	PARKER	STORY	WORTH
CRANDALL	KEATOR	DeWITT C. PECK		

When the name of Mr. Sheldon was called, he [stated that for the present he was paired with Mr. Mead.

Mr. Brooks moved to amend said report by taking "one member from Wayne county, and one member from Washington county, and adding the same to the city of New York," the same having been offered in the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows :

AYES 52.

NOES 55.

Those who voted in the affirmative, were

ALLEN	J. CLARK	GALVIN	LOVELAND	SEARING
BAKER	CONVERSE	GRADY	MAPES	SEEBACHER
BATHE	CORMACK	HALLIDAY	MCDONOUGH	SHANLEY
BEARD	COSAD	HAMILTON	MEAD	STRACK
BERGEN	CRAWFORD	HAVENS	MOLLER	J. T. TAYLOR
BERRIGAN	CROWLEY	HENRY	MEYENBORG	THAIN
BOUCK	DALY	HOLAHAN	NELSON	THOMSON
BROOKS	DAY	KEEGAN	NIVEN	TOWNSLEY
BROWNING	DOUGLASS	KELLOGG	CICERO C. PECK	WEMPLE
BURNS	FITZGERALD	LANGNER	PIPER	WILLERS
CLANCY	FLOYD-JONES			

Those who voted in the negative, were

ABBOTT	GILBERT	KING	POOL	TERRY
ALVORD	GRIGGS	LOWING	PROPER	VALENTINE
ANDREWS	HEPBURN	MATTISON	REYNOLDS	WADSWORTH
BERRY	HOBBIE	MEKEEL	ROWLAND	WAKELY
BRUNDAGE	HOLBROOK	J. H. MILLER	SAWYER	WARING
CASE	HOYT	S. V. R. MILLER	SEWELL	WHEELER
CHAPPELL	HULME	NOYES	SHEARD	WILBOR
CLAPP	HURD	PALMER	SHELDON	WILLIAMS
J. M. CLARK	JONES	PARKER	SKINNER	WILLIS
CRANDALL	KEATOR	DeWITT C. PECK	STORY	WINCH
FISH	KERN	PEEK	SUTHERLAND	WORTH

When the name of Mr. Chase was called, he stated that for the present he was paired with Mr. Pattengill.

When the name of Mr. I. I. Hayes was called, he stated that for the present he was paired with Mr. Purdy.

When the name of Mr. Prescott was called, he stated that he was paired with Mr. Roberts.

Mr. Loveland moved to amend said report by taking "one member from Wayne county, and adding the same to Niagara county" the same having been offered in the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows :

AYES 51.

NOES 56.

Those who voted in the affirmative, were

ALLEN	CONVERSE	GRADY	MAPES	SEARING
BAKER	CORMACK	HALLIDAY	MCDONOUGH	SEEBACHER
BATHE	COSAD	HAMILTON	MEAD	SHANLEY
BERGEN	CRAWFORD	HAVENS	MOLLER	STRACK
BERRIGAN	DALY	HENRY	MEYENBORG	J. T. TAYLOR
BOUCK	DAY	HOLAHAN	NELSON	THAIN
BROOKS	DOUGLASS	KEEGAN	NIVEN	THOMSON
BROWNING	FITZGERALD	KELLOGG	PATTENGILL	TOWNSLEY
BURNS	FLOYD-JONES	LANGNER	CICERO C. PECK	WEMPLE
CLANCY	GALVIN	LOVELAND	PIPER	WILLERS
J. CLARK				

Those who voted in the negative, were

ALVORD	GILBERT	KING	POOL	TERRY
ANDREWS	GRIGGS	LOWING	PROPER	VALENTINE
BEARD	I. I. HAYES	MATTISON	REYNOLDS	WADSWORTH
BERRY	HEPBURN	MEKEEL	ROWLAND	WAKELY
BRUNDAGE	HOBBIE	J. H. MILLER	SAWYER	WARING
CASE	HOLBROOK	S. V. R. MILLER	SEWELL	WHEELER
CHAPPELL	HOYT	NOYES	SHEARD	WILBOR
CHASE	HULME	PALMER	SHELDON	WILLIAMS
CLAPP	JONES	PARKER	SKINNER	WILLIS
J. M. CLARK	KEATOR	DEWITT C. PECK	STORY	WINCH
CRANDALL	KERN	PEEK	SUTHERLAND	WORTH
FISH				

When the name of Mr. Crowley was called, he stated that for the present he was paired with Mr. Hurd.

When the name of Mr. Purdy was called, he stated that he was paired with Mr. Abbott, Mr. I. I. Hayes having returned to the Assembly chamber.

Mr. Pattengill having returned to the Assembly chamber, he being paired with Mr. Chase, and Mr. Chase also being present, was declared off.

Mr. Grady moved to amend said report by striking out the "Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh Senate districts," and insert in lieu thereof the following :

Fifth. The Fifth Senate district shall consist of Richmond county and the present First, Second, Third, Fourth, Fifth, Sixth and Seventh wards in the city and county of New York.

Sixth. The Sixth Senate district shall consist of the present Tenth, Eleventh, Thirteenth and Fourteenth wards in the city and county of New York.

Seventh. The Seventh Senate district shall consist of the present Eighth, Fifteenth and Seventeenth wards in the city and county of New York.

Eighth. The Eighth Senate district shall consist of the present Ninth and Sixteenth wards and that portion of the Twentieth ward as is bound by the Hudson river on the west side ; on the north side, from said Hudson river along the south side of West Fortieth street eastward to the Ninth avenue, thence along west side of Ninth avenue southward to West Thirty-second street, thence along south side of West Thirty-second street from Ninth avenue eastward to Sixth avenue, thence from said Thirty-second street along the west side of Sixth avenue southward to West Twenty-sixth street, thence from said Sixth avenue along

the north side of West Twenty-sixth street westward to Hudson river, in the city and county of New York.

Ninth. The Ninth Senate district shall consist of the present Eighteenth and Twenty-first wards, and that part of the Twentieth ward as is bound by Ninth avenue on the west side, running from West Thirty-second street along the east side of Ninth avenue, north to West Fortieth street, on north side by West Fortieth street (south side of same), from Ninth avenue eastward to Sixth avenue; east side by west side of Sixth avenue, running along south from said West Fortieth street to West Thirty-second street, south side by West Thirty-second street (north side of same), from Sixth avenue westward to the Ninth avenue, in the city and county of New York.

Tenth. The Tenth Senate district shall consist of the present Nineteenth ward, and that part of the present Twenty-second ward as is bound by Hudson river on the west, by south side of West Forty-seventh street on the north, by the west side of Sixth avenue on the east, and the north side of West Fortieth street, from Sixth avenue to Hudson river on the south, in the city and county of New York.

Eleventh. The Eleventh Senate district shall consist of that part of the present Twenty-second ward as runs along Hudson river on the west, from north side of West Forty-seventh street to the south side of West Eighty-sixth street; on north side from Hudson river along the south side of West Eighty-sixth street, easterly to the Sixth avenue; on the east side from West Eighty-sixth street along the west side of Sixth avenue, south to West Forty-seventh street; on south side from Sixth avenue along the north side of West Forty-seventh street westward to the Hudson river, and the Twelfth, Twenty-third and Twenty-fourth wards of the city and county of New York.

The same having been offered in the committee of the whole,

Mr. Speaker put the question whether the House would agree to said motion of Mr. Grady, and it was determined in the negative, as follows:

AYES 52.

NOES 53.

Those who voted in the affirmative, were

ALLEN	CONVERSE	HALLIDAY	MCDONOUGH	SEARING
BAKER	CORMACK	HAMILTON	MEAD	SEEBACHER
BATHE	COSAD	HAVENS	MOLLER	SHANLEY
BEARD	CRAWFORD	HENRY	MEYENBORG	STRACK
BERGEN	CROWLEY	HOLAHAN	NELSON	J. T. TAYLOR
BERRIGAN	DALY	KEEGAN	NIVEN	THAIN
BROOKS	DOUGLASS	KELLOGG	PATTENGILL	THOMSON
BROWNING	FITZGERALD	LANGNER	CICERO C. PECK	TOWNSLEY
BURNS	FLOYD-JONES	LOVELAND	PIPER	WEMPLE
CLANCY	GALVIN	MAPES	PROPER	WILLERS
J. CLARK	GRADY			

Those who voted in the negative, were

ALVORD	GRIGGS	KING	POOL	TERRY
ANDREWS	I. I. HAYES	LOWING	REYNOLDS	VALENTINE
BERRY	HEPBURN	MATTISON	ROWLAND	WADSWORTH
BRUNDAGE	HOBBIE	MEKEEL	SAWYER	WAKELY
CASE	HOLBROOK	J. H. MILLER	SEWELL	WARING
CHAPPELL	HOYT	S. V. R. MILLER	SHEARD	WHEELER
CHASE	HULME	NOYES	SHELDON	WILBOR
CLAPP	HURD	PALMER	SKINNER	WILLIS
J. M. CLARK	JONES	PARKER	STORY	WINCH
CRANDALL	KEATOR	DEWITT C. PECK	SUTHERLAND	WORTH
GILBERT	KERN	PEEK		

When the name of Mr. Bouck was called, he stated he was paired with Mr. Fish.

Messrs. Crowley and Hurd having paired, and both being in the Assembly chamber, said pair was declared off.

Mr. Day stated that he was paired with Mr. Williams.

Mr. Clancy moved to amend the report of the committee by taking "one member from Cattaraugus county, and add the same to the county of Kings," the same having been offered in the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows:

AYES 45.

NOES 52.

Those who voted in the affirmative, were

BAKER	CORMACK	GRADY	LOVELAND	SEARING
BATHE	COSAD	HALLIDAY	MCDONOUGH	SEEBACHER
BERGEN	CRAWFORD	HAMILTON	MOLLER	SHANLEY
BROOKS	CROWLEY	HAVENS	MEYENBORG	STRACK
BROWNING	DALY	HENRY	NELSON	J. T. TAYLOR
BURNS	DOUGLASS	HOLAHAN	NIVEN	THAIN
CLANCY	FITZGERALD	KEEGAN	CICERO C. PECK	THOMSON
J. CLARK	FLOYD-JONES	KELLOGG	PIPER	TOWNSLEY
CONVERSE	GALVIN	LANGNER	ROBERTS	WILLERS

Those who voted in the negative, were

ALVORD	I. I. HAYES	MAPES	POOL	STORY
BEARD	HEPBURN	MATTISON	PRESCOTT	SUTHERLAND
BERRY	HOBBIE	MEKEEL	PROPER	TERRY
BRUNDAGE	HOLBROOK	J. H. MILLER	REYNOLDS	VALENTINE
CASE	HOYT	S. V. R. MILLER	ROWLAND	WADSWORTH
CHAPPELL	HULME	NOYES	SAWYER	WAKELY
CLAPP	HURD	PALMER	SEWELL	WARING
J. M. CLARK	JONES	PARKER	SHEARD	WHEELER
CRANDALL	KEATOR	DEWITT C. PECK	SHELDON	WILLIS
GILBERT	KING	PEEK	SKINNER	WINCH
GRIGGS	LOWING			

When the name of Mr. Andrews was called, he stated he was paired with Mr. Mead.

Mr. Berrigan and Mr. Worth paired only for ten minutes.

Mr. Allen stated he was paired with Mr. Wilbor for one-half hour.

Mr. Pattengill stated he was paired with Mr. Chase for ten minutes.

Messrs. Prescott and Roberts having paired, and both being in the Assembly Chamber, Mr. Speaker declared said pair off.

Mr. Kern stated he was paired with Mr. Wemple.

Mr. Clancy moved to amend the report of the committee of the whole, by striking out, in the Second Senate district, the words "the Second and Fifth wards, the towns of Flatbush, Flatlands, Gravesend, New Lots and New Utrecht," and inserting in lieu thereof the words "the Third, Twentieth and Twenty-second wards;" also, to strike out the words "Third, Twentieth and Twenty-second wards," in the Third Senate district, and insert in lieu thereof the words "Second, Fifth, Nineteenth, Twenty-first, Twenty-fourth and Twenty-fifth wards, the Towns of Flatbush, Flatlands, Gravesend, New Lots and New Utrecht; also to strike out the words "Nineteenth ward," in the Fourth Senate district, and insert in lieu thereof the words "Twentieth ward."

The same having been offered in the committee of the whole,

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows:

AYES 45.

NOES 50.

Those who voted in the affirmative, were

BAKER	CONVERSE	GRADY	MAPES	SEARING
BATHE	CORMACK	HALLIDAY	MCDONOUGH	SEEBACHER
BERGEN	COSAD	HAMILTON	MEYENBORG	SHANLEY
BERRIGAN	CRAWFORD	HAVENS	NELSON	STRACK
BOUCK	CROWLEY	HENRY	NIVEN	J. T. TAYLOR
BROOKS	DALY	HOLAHAN	CICERO C. PECK	THAIN
BROWNING	FITZGERALD	KEEGAN	PIPER	THOMSON
CLANCY	FLOYD-JONES	KELLOGG	PROPER	TOWNSLEY
J. CLARK	GALVIN	LOVELAND	ROBERTS	WILLERS

Those who voted in the negative, were

ALVORD	GILBERT	KEATOR	PEEK	SUTHERLAND
BEARD	GRIGGS	LOWING	POOL	TERRY
BERRY	I. I. HAYES	MATTISON	PRESCOTT	VALENTINE
BRUNDGAE	HEPBURN	MEKEEL	REYNOLDS	WADSWORTH
CASE	HOBBIE	J. H. MILLER	ROWLAND	WAKELY
CHAPPELL	HOLBROOK	S. V. R. MILLER	SAWYER	WARING
CLAPP	HOYT	NOYES	SEWELL	WHEELER
J. M. CLARK	HULME	PALMER	SHEARD	WILLIS
CRANDALL	HURD	PARKER	SHELDON	WINCH
FISH	JONES	DEWITT C. PECK	SKINNER	WORTH

Mr. Burns stated he was paired with Mr. Story.

Mr. King stated he was paired with Mr. Langner.

Messrs. Fish and Bouck having paired, and both being in the Assembly chamber, Mr. Speaker declared said pair off.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bill was then ordered engrossed for a third reading.

On motion of Mr. Browning, and by unanimous consent, said bill, as amended, was ordered printed.

By unanimous consent,

Mr. Brooks introduced a bill entitled "An act to extend the time for advertising the sale of lands for unpaid taxes in the village of Edgewater, Richmond county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Brooks, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CORMACK	HOBBIE	NEILSON	SHANLEY
ALVORD	COSAD	HOLAHAN	NELSON	SHEARD
ANDREWS	CRANDALL	HOLBROOK	NIVEN	SHELDON
BAKER	CRAWFORD	HOYT	NOYES	SKINNER
BATHE	CROWLEY	HULME	PALMER	SUTHERLAND
BERGEN	CURRAN	HURD	PARKER	J. T. TAYLOR
BERRIGAN	DALY	JONES	DEWITT C. PECK	THAIN
BERRY	DAY	KEATOR	PEEK	THOMSON
BOUCK	FISH	KEEGAN	PIPER	VALENTINE
BROOKS	FITZGERALD	KING	PRESCOTT	WADSWORTH
BROWNING	FLOYD-JONES	LOVELAND	REYNOLDS	WHEELER
BRUNDGAE	FOSTER	MATTISON	ROBERTS	WILBOR
CASE	GALVIN	MCDONOUGH	ROWLAND	WILLERS

CHAPELL	HALLIDAY	MEAD	SAWYER	WILLIAMS
CLAPP	HAMILTON	J. H. MILLER	SEARING	WILLIS
J. CLARK	HAVENS	S. V. R. MILLER	SEEBACHER	WINCH
J. M. CLARK	I. I. HAYES	MOLLER	SEWELL	WORTH
CONVERSE	HEPBURN	MOOERS		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the following entitled bill, with a message that the vote on the final passage of the bill had been reconsidered, and the amendments of the Assembly concurred in :

“An act to amend chapter 446 of the Laws of 1877, entitled ‘An act to amend chapter 611 of the Laws of 1869, entitled An act to incorporate the village of West Mount Vernon, county of Westchester.’”

Ordered, That the Clerk return said bill to the Senate.

Mr. Brooks moved to take from the table the Assembly bill entitled “An act to establish the exterior bulk-head and pier-lines of the harbor of New York, on the Staten Island side.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Brooks moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CORMACK	HOYT	PARKER	STORY
ALVORD	CRANDALL	HULME	CICERO C. PECK	STRACK
ANDREWS	CRAWFORD	JONES	DEWITT C. PECK	SUTHERLAND
BAKER	CROWLEY	KEATOR	PEEK	J. T. TAYLOR
BATHE	CURRAN	KEEGAN	PIPER	TERRY
BEARD	DALY	KING	POOL	THAIN
BERGEN	DAY	LOVELAND	PRESCOTT	THOMSON
BERRIGAN	FISH	LOWING	REYNOLDS	TOWNSLEY
BERRY	FITZGERALD	MATTISON	ROBERTS	VALENTINE
BOUCK	FLOYD-JONES	MCDONOUGH	SEARING	WADSWORTH
BROOKS	GALVIN	MEKEEL	SEEBACHER	WARING
BROWNING	GRIGGS	J. H. MILLER	SEWELL	WILBOR
BRUNDAGE	HALLIDAY	S. V. R. MILLER	SHANLEY	WILLERS
CHAPPELL	HAMILTON	MOOERS	SHEARD	WILLIAMS
CLANCY	I. I. HAYES	NEILSON	SHELDON	WILLIS
CLAPP	HOBBIE	NELSON	SKINNER	WINCH
J. M. CLARK	HOLAHAN	NIVEN	SLITER	WORTH
CONVERSE	HOLBROOK	PALMER		

On motion of Mr. Brooks and by unanimous consent, said bill was amended in the words following :

Section 1, line 16, strike out the words “intended to be.”

Add, at the end of section 1, the following: “And the lines being described as follows: Beginning at the north-east angle of the coffer-dam crib at Fort Wadsworth, and running thence on a straight line 6,000 feet to a point on the south boundary of Maple avenue produced easterly 1,385 feet from the west line of New York avenue; thence curving eastward with a uniform radius of 26,500 feet a distance of 1,900 feet to a point on the south line of Vanderbilt avenue produced easterly 1,465 feet from the west line of Bay street; thence curving eastward with a uniform radius of 3,333 feet a distance of 1,000 feet to

a point on the south line of Canal street produced easterly 1,725 feet from the east line of Bay street; thence curving easterly with a uniform radius of 10,900 feet a distance of 1,095 feet to a point on the south line of Wave street produced easterly 1,765 feet from the east line of Bay street; thence curving easterly with a uniform radius of 6,400 feet a distance of 1,225 feet to a point on the south line of Washington street produced easterly 1,165 feet from the west line of Bay street; thence running on a straight line 1,620 feet to a point on the south line of Arrietta street produced easterly 1,380 feet from the east line of Griffen street; thence running on a straight line 1,630 feet to a point on the south line of South street produced easterly 1,100 feet from the east line of Stuyvesant street; thence curving westerly with a uniform radius of 3,125 feet a distance of 916 feet to a point on the south line of De Kalb street produced easterly 710 feet from the west line of Brighton place; thence curving westerly with a uniform radius of 3,125 feet a distance of 850 feet to a point on the south line of Hamilton avenue produced easterly 850 feet from the west line of Jay street; thence curving westerly with a uniform radius of 3,125 feet a distance of 1,500 feet to a point on the south line of Nicholas street produced easterly 590 feet from the west line of Shore road leading from New Brighton Landing to Tompkins Landing. The bulkhead line being parallel to the above described pier line and distant 600 feet westerly therefrom."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ALVORD	CONVERSE	HULME	NORTH	SHELDON
ANDREWS	CORMACK	JONES	NOYES	SKINNER
BAKER	COSAD	KEEGAN	PALMER	STORY
BATHE	CRANDALL	KING	PARKER	STRACK
BEARD	CROWLEY	LOVELAND	PATTENGILL	J. T. TAYLOR
BERRIGAN	DALY	LOWING	DeWITT C. PECK	TERRY
BERRY	DAY	MAPES	PEEK	THAIN
BOUCK	DEYOE	MATTISON	PIPER	THOMSON
BROOKS	FISH	MCDONOUGH	POOL	VALENTINE
BROWNING	FLOYD-JONES	MEKEEL	PRESCOTT	WADSWORTH
BRUNDAGE	GALVIN	J. H. MILLER	REYNOLDS	WILBOR
CASE	GRIGGS	S. V. R. MILLER	ROBERTS	WILLERS
CHAPPELL	HALLIDAY	MOOERS	SEEBACHER	WILLIAMS
CLANCY	HAMILTON	NELSON	SEWELL	WILLIS
CLAPP	HOBBIE	NELSON	SHANLEY	WINCH
J. CLARK	HOLAHAN	NIVEN	SHEARD	WORTH
J. M. CLARK	HOLBROOK			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sewell introduced a bill entitled "An act to facilitate the discharge of debtors imprisoned by virtue of executions in civil cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Day introduced a bill entitled "An act to amend an act entitled 'An act to establish a department of police in the city of Buffalo, and to provide for the government thereof,' passed April 26, 1871," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. J. T. Taylor introduced a bill entitled "An act to release the interest of the people of the State of New York in and to certain real estate in the city of New York, in the State of New York, of which Peter W. Duncan, or Eliza Kelly, or both of said persons, died seized and possessed, to the persons who, according to the statutes of this State, would answer the description of heirs-at-law of such deceased persons, whether they were citizens or aliens at the time of the death of said Peter W. Duncan or Eliza Kelly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the petition of aliens.

Also, presented petitions on the same subject; which were read and referred to the same committee.

Mr. Waring introduced a bill entitled "An act to enable the board of education of the city of Brooklyn to sell certain lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, a bill entitled "An act to protect purchasers of real estate in actions of foreclosure or partition, prior to March 1, 1878," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to preserve the beach on Coney Island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a bill entitled "An act to change the bulkhead and pier lines at and near the entrance of Bushwick inlet into the East river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Seebacher introduced a bill entitled "An act to amend chapter 33 of the Laws of 1878, entitled 'An act to amend chapter 516 of the Laws of 1867, entitled An act for the further protection of female employes in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Roberts offered, for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That the Canal Board be, and they are hereby authorized to establish such toll sheet on the Black River canal as the Canal Board shall deem proper, the same not to be less than the toll sheet for the Erie canal.

By unanimous consent, the rules were suspended, and said resolution was considered immediately.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Crowley presented a resolution of the Building Exchange of Buffalo, asking for the passage of the General Pipe-Line bill; which was read and referred to the committee on the judiciary.

The Senate returned the following entitled bills:

"An act in relation to the bonded indebtedness of villages, cities, towns and counties."

"An act to amend chapter 74 of the Laws of 1877, entitled 'An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of the State of New York.'"

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bill, with a message that they had concurred in the passage of the same:

"An act to authorize the board of supervisors of Delaware county to issue bonds to provide for the payment of the indebtedness of said county."

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Alvord, and at 1 o'clock and 36 minutes, the House adjourned.

WEDNESDAY, MARCH 20, 1878.

The House met pursuant to adjournment.

Prayer by Rev. B. B. Loomis.

The journal of yesterday was read and approved.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act to legalize and confirm the acts of the officers of the Dundee Union Agricultural Society, and to provide for the election of officers for the same."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate sent for concurrence the following entitled bills:

"An act to repeal chapter 73 of the Laws of 1875, entitled 'An act to establish specie payments on all contracts or obligations payable in this State in dollars, and made after January 1, 1879,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to repeal section 8 of chapter 36 of the Laws of 1863, entitled 'An act authorizing the village of West Troy to pave Broad street therein from Auburn street to its southern terminus; to procure a steam fire engine, and the necessary hose, hose carriage, lot and engine-house for the same, and to borrow money for such purposes; also empowering the said village to light the streets thereof, and directing that the police constables of said village be uniformed and wear the badge of office,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

"An act to regulate the election of permanent members of the Medical Society of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

"An act to legalize and confirm the official acts of William W. Snow

as trustee and president of the board of trustees of the village of Oneonta, in the county of Otsego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Chappell, the privileges of the floor were granted to the Hon. W. L. Rockwell.

On motion of Mr. Chase, the privileges of the floor were granted to the Hon. S. L. Barnes.

Leave of absence was granted to Mr. Eli Taylor.

By unanimous consent,

Mr. Brooks introduced a bill entitled "An act for the protection of life, and to prevent accidents by vessels navigating the port and harbor of New York, and waters adjacent thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Berry presented a report of the sub-committee of the whole.

Mr. Speaker announced the special order of the day being "An act to provide for maintaining the solvency of life insurance companies, and protecting rights of policy holders."

Mr. Fish moved to lay said order of business upon the table, for the purpose of taking up the regular order of business.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Allen introduced a bill entitled "An act to amend chapter 103 of the Laws of 1877, entitled 'An act to facilitate the construction of narrow-gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Astor introduced a bill entitled "An act for the removal of the reservoir situated in the city of New York, on Fifth avenue, between Fortieth and Forty-second streets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Sheard introduced a bill entitled "An act to constitute a board of alms, and to secure the better application of funds to relieve the poor in the town of Herkimer, Herkimer county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Languer introduced a bill entitled "An act to authorize the city of Buffalo to raise money to aid in the construction of a Soldiers' and Sailors' Monument," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hepburn introduced a bill entitled "An act to facilitate the proper disposition of funds deposited in the Insurance Department for the security of policyholders in life insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Bouck introduced a bill entitled "An act to amend section 118 of article 8 of chapter 2, title 4, part 3 of the Revised Statutes, in relation to the duties of justices of the peace in actions commenced before them

in which they are shown to be material witnesses, and to repeal chapter 334 of the Laws of 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Rowland introduced a bill entitled "An act to amend chapter 322 of the Laws of 1869, entitled 'An act to encourage the planting of shade trees along the sides of public highways,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Hurd introduced a bill entitled "An act to incorporate the General Council of the Methodist Episcopal Ministers' National Mutual Aid Association, and to provide for the organization of subordinate chapters," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Halliday introduced a bill entitled "An act to authorize the boards of supervisors in the several counties of this State to fix the compensation of the court stenographers in the various counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Allen, Int. No. 218, entitled "An act to amend the act passed April 3, 1867, chapter 248, entitled 'An act to amend the act passed April 11, 1860, entitled An act to authorize the formation of corporations for manufacturing and other purposes,' passed February 17, 1848," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Bergen, Int. No. 440, entitled "An act to further amend the act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Curran, Int. No. 19, entitled "An act to amend an act entitled 'An act to amend an act entitled An act to incorporate the city of Cohoes, passed May 19, 1869, and the act amendatory of the same,' passed March 4, 1872," reported adversely thereto.

On motion of Mr. Fish, and by unanimous consent, said report was laid upon the table.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Curran, Int. No. 327, entitled "An act to repeal chapter 471, Laws of 1857, entitled 'An act to provide for the appointment of patrolmen in and for the First Collection district of the town of Watervliet, in the county of Albany,' passed June 16, 1877," reported adversely thereto.

On motion of Mr. Fish, and by unanimous consent, said report was laid on the table.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Brooks, Int. No. 606, entitled "An act to amend an act entitled 'An act to incorporate the New York Real Estate

Exchange,' passed May 9, 1867, also the act entitled 'An act to incorporate the New York Real Estate Exchange in the city of New York,' passed May 6, 1870, and to incorporate the New York Real Estate Exchange, and to designate the place of judicial sales of real estate in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Worth, Int. No. 560, entitled "An act to provide for the preservation of the public health in the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. I. I. Hayes, Int. No. 649, entitled "An act to amend chapter 42 of the Laws of 1856, entitled 'An act to incorporate the College of Pharmacy of the city of New York,' passed March 20, 1856," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Keegan, Int. No. 651, entitled "An act to improve Steinway avenue in Long Island City," reported in favor of the passage of the same with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Holahan, Int. No. 588, entitled "An act to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sales of intoxicating liquors,' passed April 11, 1870," reported in favor of the passage of the same (Messrs. Waring, Fish, and Skinner dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Thain, Int. No. 317, entitled "An act to open the College of the City of New York to all male persons who shall pass the preliminary examinations for admission therein," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Terry, Int. No. 310, entitled "An act to amend chapter 30 of the Laws of 1876, entitled 'An act to amend chapter 520, Laws of 1870, entitled An act to establish and maintain a police force in the city of Troy, and to increase the powers and duties of the police commissioners of said city,' passed February 28, 1876," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was recommended the bill introduced by Mr. I. I. Hayes, Int. No. 4, entitled "An act to secure the better public administration in the local government of the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Miller, Int. No. 481, entitled "An act in relation to commutation and other fares for transporting passengers by

railroad companies chartered by or incorporated in any other State, and owning any railroad track in this State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Prescott, said bill was ordered recommitted, when printed, to the committee on railroads, retaining its place on general orders.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Loveland, Int. No. 623, entitled "An act to repeal chapter 305 of the Laws of 1871, entitled 'An act providing for the disposal of excise moneys in the county of Niagara,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Mooers, Int. No. 492, entitled "An act to secure the better application of funds to relieve the poor in the town of Plattsburgh, in the county of Clinton," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Rowland, Int. No. 350, entitled "An act to repeal chapter 577 of the Laws of 1864, and all acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was recommitted (retaining its place in the order of third reading of bills) the Senate bill introduced by Mr. Goodwin, Int. No. 10, entitled "An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and regulate the sale of intoxicating liquors,'" re-reported in favor of the passage of the same, with amendments, and title amended so as to read "An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' and the acts amendatory thereof," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Prescott, Int. No. 538, entitled "An act to create a board of charities in the several counties of this State," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

On motion of Mr. Valentine, said bill was recommitted to the committee of the whole, and ordered printed.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. McDonough, Int. No. 15, entitled "An act to amend an act entitled 'An act regulating the sale of intoxicating liquors,' passed April 11, 1870," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Valentine moved that said bill be recommitted to the committee on internal affairs, and that the same be ordered printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. King, from the committee on public health, to which was referred the bill introduced by Mr. Keegan, Int. No. 469, entitled "An act to repeal an act entitled 'An act to create a metropolitan sanitary district

and a board of health therein for the preservation of life and health," passed February 26, 1866, so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. King, from the committee on public health, to which was re-committed (retaining its place on general orders) the bill introduced by Mr. McDonough, Int. No. 169, entitled "An act for the abatement of nuisances by the board of health of incorporated cities," re-reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Reynolds, from the committee on public education, to which was referred the bill introduced by Mr. Flynn, Int. No. 540, entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

On motion of Mr. Peck, and by unanimous consent, said bill was re-committed to the committee of the whole, and ordered printed.

Mr. Case, from the committee on game laws, to which was referred the bill introduced by Mr. Brooks, Int. No. 464, entitled "An act supplemental to chapter 421 of the Laws of 1877, entitled 'An act supplemental to an act entitled An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was re-committed the bill introduced by Mr. Mooers, Int. No. 397, entitled "An act authorizing the construction of a railroad from Lake Champlain to Dannemora prison, and the employment of convict labor thereon, and the management thereof," re-reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Converse, Int. No. 207, entitled "An act for the relief of the Port Byron Free School district in the town of Mentz, in the county of Cayuga," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Messrs. J. H. Miller, D. W. C. Peck, Brundage and Mattison presented petitions in favor of an amendment of the assessment laws; which were read and referred to the committee on ways and means.

Messrs. Brundage, Hoyt and J. H. Miller presented petitions in favor of the passage of an act for the formation of mutual insurance companies; which were read and referred to the committee on insurance.

Messrs. Brundage and J. H. Miller presented petitions for the passage of a law creating a board of railway commissioners; which were read and referred to the committee on railroads.

Mr. Bergen presented several petitions in support of the Governor's veto of the Code of Civil Procedure; which were read and laid upon the table.

Mr. Converse presented a petition of members of the bar of Cayuga county in favor of the re-enactment of the old Code of Civil Procedure; which was read and referred to the committee on the judiciary.

Mr. Day presented a petition of members of the bar of Erie county for the repeal of the new Code and the appointment of a new commission on the Code and Practice and Pleadings; which was read and referred to the committee on the judiciary.

Mr. Alvord presented a petition of members of the bar of Onondaga county for the repeal of the first 13 chapters of the Code of Procedure and for the re-enactment of the old Code; which was read and referred to the committee on the judiciary.

Mr. Parker presented a petition of members of the Ancient Order of United Workmen for an amendment to their charter; which was read and referred to the committee on general laws.

Mr. Day presented a petition of the Buffalo Building Exchange for the passage of the pipe line bill; which was read and referred to the committee on the judiciary.

Mr. Lowing presented a remonstrance of citizens of Wyoming county against changing the boundary line of Wyoming county; which was read and referred to the committee on civil divisions.

Mr. Willis presented a petition of citizens of Onondaga county against any modification of the excise laws; which was read and referred to the committee on internal affairs.

Mr. Moller presented a petition of tax-payers of the town of Pelham, Westchester county, in favor of the passage of a bill limiting the powers of the town board of said town; which was read and referred to the committee on internal affairs.

Mr. Holbrook presented a petition of citizens of Onondaga county against the passage of the bill known as the McCarthy savings bank bill; which was read and referred to the committee on banks.

Mr. Hobbie presented a petition of Catharine Weber for release of lands; which was read and referred to the committee on petitions of aliens.

The Senate returned the following entitled bill, with a message that they had concurred in the passage of the same:

"An act to extend the time for advertising the sale of lands for unpaid taxes in the village of Edgewater, Richmond county."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled as follows:

"An act to amend chapter 446 of the Laws of 1877, entitled 'An act to amend chapter 611 of the Laws of 1869, entitled An act to incorporate the village of West Mount Vernon, county of Westchester.'"

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Fish offered, for the consideration of the House, a resolution in the words following:

Resolved, That afternoon sessions of this House be held every Tuesday, Wednesday, and Thursday, at four and a half o'clock, beginning on Tuesday, March 26th.

Mr. Brooks moved to amend by striking out "March 26th," and inserting in lieu thereof "April 2d."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Alvord offered, for the consideration of the House, a resolution in the words following:

Resolved, By the Assembly of the State of New York, that it is wise

statesmanship for Congress to adopt the most efficient policy to extend our trade and commerce with all the nations of the earth, and especially to give to our farmers and manufacturers new markets for their products, and to restore the carrying trade of the oceans once more to our own ships, and give employment again to our own seamen; and in the opinion of this Assembly, in no better way can this be done, than by paying American steamship lines the same compensation for mail service that is paid to our railroad lines. Let the policy be at once adopted, and steamship lines would rapidly increase; would receive the profits of our carrying trade; would take our flour and corn, our beef and pork, our butter and cheese, and our manufactured articles to the peoples of the world; and would return with the products of other lands, that we need for our mills and factories and for our own consumption, and in this way largely extend our markets, and add very much to the wealth of the people by starting the country on a new career of prosperity. To pay for mail service on water, to steamships, the same as on land, to railroad companies, is simply justice. The more speedy the mail facilities between this and other countries, the larger will be our trade and commerce and our exchange of products with those countries. We commend this matter, as of great importance, to our Senators and representatives in Congress.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Nelson called from the table resolutions, previously offered by him, in the words following:

Concurrent resolution, proposing an amendment to article 6 of the Constitution, by the addition of a new section, to be called section 29.

Resolved (if the Senate concur), That article 6 of the Constitution be amended, by adding thereto the following section:

§ 29. On the first day of January, 1881, the Court of Common Pleas for the city and county of New York, and the Superior Court for the city of New York, shall cease to exist, and all the jurisdiction of said courts shall vest in, and all the judges of said courts then in office shall become justices of, the Supreme Court; and the judicial power in civil and criminal cases, and any judicial power as a county judge, and other special authority and jurisdiction now vested in any or either of said courts, shall vest in the justices of the Supreme Court for the first department, subject to such provisions as may be made by law for the exercise thereof; and thereupon the judges so transferred shall hold their places for the remainder of the respective terms for which they shall have been chosen or appointed; and suits, actions, appeals, motions, and proceedings, then pending in the courts so abolished, or before any judge or justice thereof, shall be and become immediately transferred to the Supreme Court for the first department, without prejudice to any undertaking, bond, pleading, deposition, or other entry or proceeding previously had therein; and thereafter there shall be 17 justices of the Supreme Court for the first department (which shall consist of the city and county of New York), chosen or appointed as provided by the Constitution of this State. The salaries of all said justices, except five, shall be provided for and paid by the city of New York, and the Legislature shall have power to alter, fix and equalize the salaries of the judges. The Legislature may, by law, provide for organizing an additional general term in the first department of the Supreme Court, to be composed of a presiding justice and not more than three other justices.

Resolved (if the Senate concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity to section 1 of article 13 of the Constitution, it be published for three months previous to the time of such election.

On motion of Mr. Nelson, and by unanimous consent, said resolutions were ordered printed.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, reported a bill entitled "An act relating to contracts for lighting the public lamps in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Flynn, Int. No. 443, entitled "An act to authorize the city of Brooklyn to pay to John McCloskey the proper cost of a certain temporary sewer or drain in Hicks street, connecting with Hamilton avenue sewer, constructed by said McCloskey under a resolution of award of the common council of said city, passed October 25, 1869," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Worth, Int. No. 344, entitled "An act in relation to regrading and paving of Grand street, from Union to Bushwick avenues, in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was recommended the bill introduced by Mr. Douglass, Int. No. 366, entitled "An act to regulate the quality and supply and price of illuminating gas in the cities of New York and Brooklyn, and for the protection of manufacturers and consumers thereof," reported the same for the consideration of the House, with amendments, and the title amended so as to read "An act to regulate the quality, supply and price of illuminating gas, and for the protection of manufacturers and consumers thereof," and said bill was committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was recommended the bill introduced by Mr. Henry, Int. No. 565, entitled "An act to amend an act relative to the construction of sewers in a certain district in the city of Brooklyn, and providing an assessment for sewers in said district," passed June 21, 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Nelson called from the table a resolution, previously offered by him, in the words following:

Resolved (if the Senate concur), That section 14 of article 6 of the Constitution be amended so as read as follows:

"§ 14. The judges and justices hereinbefore mentioned shall receive for their services a compensation to be established by law, *in the form of*

a salary payable monthly or quarterly, as the Legislature may direct; and, in addition thereto, they shall receive no fees, percentages, nor allowances, except the judges of the Court of Appeals and the justices of the Supreme Court; they shall be paid, and the expenses of the courts defrayed, by the cities or counties in which such courts are instituted, as shall be provided by law."

Mr. Alvord moved that said resolution be referred to the committee on the judiciary and printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Bergen introduced a bill entitled "An act to repeal chapter 449, and, with certain exceptions, chapter 448 of the Laws of 1876, and chapters 416, 417, and 422 of the Laws of 1877, to revive acts thereby repealed, and to regulate proceedings in civil actions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Browning introduced a bill entitled "An act for the relief of the New York Tunnel Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Purdy introduced a bill entitled "An act in relation to the public schools of the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent,

Also, a bill entitled "An act to amend chapter 671 of the Laws of 1857, entitled 'An act to establish regulations for the port of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Strack introduced a bill entitled "An act to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to legalize the official acts of Francis E. Clark as notary public of Westchester county."

"An act in relation to the keeping open of certain public offices in the county of Westchester."

"An act to create a board of alms, and to secure the better application of funds to relieve the poor in the town of German Flats, in the county of Herkimer."

"An act to amend chapter 702 of the Laws of 1870, entitled 'An act to amend the charter of Little Falls,' passed May 6, 1870."

"An act to amend an act entitled 'An act to incorporate the Hall Association of the Order der Freiheit of the city of Buffalo,' passed April 11, 1870."

"An act to change the name of the Union Free School district No. 1, of the town of Clarence."

"An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the first day of October, 1878, and to supply in part a deficiency in the sinking fund, under article 7, section 3 of the Constitution."

"An act to amend section 21 of article 3, title 3, chapter 6, part 1 of the Revised Statutes."

Mr. Fish called from the table a resolution, previously offered by him, in the words following:

Resolved (if the Senate concur), That section 25 of article 3 of the Constitution be amended so as to read as follows:

§ 25. Sections 17 and 18 of this article shall not apply to the salary of any municipal officer, nor to the amendments to any bill which shall be reported to the Legislature by commissioners who have been appointed pursuant to law to revise the statutes.

Mr. Fish moved that said resolution be referred to the committee on affairs of cities and ordered printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced, pursuant to ninth joint rule, order of business, third reading of bills.

The bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to consolidate the general acts relating to public instruction,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 86.

NOES 12.

Those who voted in the affirmative, were

ALLEN	CONVERSE	HAMILTON	NELSON	SEWELL
ALVORD	CORMACK	HAVENS	NIVEN	SHEARD
ASTOR	COSAD	I. I. HAYES	NORTH	STRACK
RAKER	CRAWFORD	HOLBROOK	NOYES	J. T. TAYLOR
BATHE	CURRAN	JONES	PARKER	TERRY
BEARD	DALY	KEEGAN	PATTENGILL	THAIN
BERGEN	DAY	KELLOGG	CICERO C. PECK	TOWNSLEY
BERRIGAN	DEYOE	KING	DEWITT C. PECK	VALENTINE
BERRY	DOUGLASS	LOVELAND	PEEK	WADSWORTH
BROOKS	FISH	LOWING	PIPER	WARING
BROWNING	FITZGERALD	MAPES	POOL	WEMPLE
BRUNDAGE	FLOYD-JONES	MATTISON	PROPER	WHEELER
CASE	FLYNN	MEAD	PURDY	WILBOR
CHAPPELL	FOSTER	S. V. R. MILLER	REYNOLDS	WILLERS
CHASE	GILBERT	MOOERS	ROWLAND	WILLIAMS
CLANCY	GRADY	MEYENBORG	SAWYER	WILLIS
CLAPP	HALLIDAY	NEILSON	SEARING	WINCH
J. M. CLARK				

Those who voted in the negative, were

CRANDALL	HOYT	PRESCOTT	SKINNER	SUTHERLAND
HEPBURN	KEATOR	SHELDON	SLITER	THOMSON
HOBBIE	MEKEEL			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Skinner in the chair.

The bill entitled "An act to legalize the official acts of Francis E. Clark, as notary public of Westchester county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 93.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HAVENS	MEYENBORG	SHANLEY
ALLEN	J. CLARK	HEPBURN	NELSON	SHEARD
ALVORD	J. M. CLARK	HOLBROOK	NIVEN	SHELDON
ANDREWS	CONVERSE	HOYT	NORTH	SKINNER
ASTOR	CORMACK	HULME	NOYES	SLITER
BAKER	COSAD	JONES	PALMER	SUTHERLAND
BEARD	CURRAN	KEATOR	PARKER	J. T. TAYLOR
BERGEN	DALY	KEEGAN	PATTERSON	TERRY
BERRIGAN	DAY	KERN	DEWITT C. PECK	THAIN
BERRY	DEYOE	KING	PEEK	THOMSON
BOUCK	DOUGLASS	LANGNER	PIPER	WADSWORTH
BROOKS	FISH	LOVELAND	POOL	WHEELER
BROWNING	FITZGERALD	LOWING	PRESCOTT	WILBOR
BRUNDAGE	FLOYD-JONES	MAPES	PROPER	WILLERS
BURNS	FLYNN	MATTISON	REYNOLDS	WILLIAMS
CASE	FOSTER	MEAD	ROWLAND	WILLIS
CHAPPELL	GILBERT	MEKEEL	SAWYER	WINCH
CHASE	HALLIDAY	S. V. R. MILLER	SEARING	WORTH
CLANCY	HAMILTON	MOLLER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the keeping open of certain public offices in the county of Westchester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 104.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	J. HAYES	NEILSON	SEEBACHER
ALLEN	COSAD	HEPBURN	NELSON	SEWELL
ALVORD	CRANDALL	HOBBIE	NIVEN	SHANLEY
ANDREWS	CRAWFORD	HOLAHAN	NORTH	SHEARD
ASTOR	CROWLEY	HOLBROOK	NOYES	SHELDON
BAKER	CURRAN	HOYT	PALMER	SKINNER
BEARD	DALY	HULME	PARKER	SLITER
BERGEN	DAY	JONES	PATTENGILL	SUTHERLAND
BERRIGAN	DEYOE	KEATOR	PATTERSON	TERRY
BERRY	DOUGLASS	KEEGAN	CICERO C. PECK	THAIN
BOUCK	FISH	KELLOGG	DEWITT C. PECK	THOMSON
BROWNING	FITZGERALD	KERN	PEEK	VALENTINE
BRUNDAGE	FLOYD-JONES	KING	PIPER	WADSWORTH
BURNS	FLYNN	LANGNER	POOL	WARING
CASE	FOSTER	LOWING	PRESCOTT	WEMPLE
CHAPPELL	GALVIN	MAPES	PURDY	WHEELER
CHASE	GILBERT	MEAD	REYNOLDS	WILBOR
CLANCY	GRADY	MEKEEL	ROBERTS	WILLIS
J. CLARK	HALLIDAY	J. H. MILLER	ROWLAND	WINCH
J. M. CLARK	HAMILTON	S. V. R. MILLER	SAWYER	WORTH
CONVERSE	HAVENS	MOLLER	SEARING	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Terry moved that Edward Scott be discharged from the custody of the Sergeant-at-Arms, he having appeared before the committee on privileges and elections.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to create a board of alms, and to secure the better application of funds to relieve the poor in the town of German Flats, in the county of Herkimer," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 96.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOBBIE	MEYENBORG	SEEBACHER
ALLEN	CRAWFORD	HOLAHAN	NEILSON	SHEARD
ALVORD	CROWLEY	HOLBROOK	NELSON	SHELDON
ANDREWS	CURRAN	HOYT	NIVEN	SKINNER
ASTOR	DALY	HULME	NORTH	SLITER
BAKER	DAY	JONES	NOYES	STRACK
BERRIGAN	DEYOE	KEATOR	PARKER	SUTHERLAND
BERRY	DOUGLASS	KEEGAN	PATTENGILL	J. T. TAYLOR
BOUCK	FISH	KELLOGG	CICERO C. PECK	TERRY
BROOKS	FITZGERALD	KERN	DEWITT C. PECK	THAIN
BROWNING	FLOYD-JONES	LANGNER	PIPER	THOMSON
BRUNDAGE	FLYNN	LOWING	POOL	TOWNSLEY
BURNS	GALVIN	MAPES	PRESCOTT	VALENTINE
CASE	GILBERT	MEAD	PROPER	WADSWORTH
CHAPPELL	GRADY	MEKEEL	PURDY	WARING
CHASE	HAMILTON	J. H. MILLER	REYNOLDS	WEMPLE
J. CLARK	HAVENS	S. V. R. MILLER	ROBERTS	WILBOR
J. M. CLARK	HENRY	MOLLER	SAWYER	WILLIS
CORMACK	HEPBURN	MOOERS	SEARING	WINCH
COSAD				

Those who voted in the negative, were

BEARD WILLERS

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

When the name of Mr. Henry was called, he asked to be, and was not, excused from voting.

The Senate bill entitled "An act to amend chapter 147 of the Laws of 1864, entitled 'An act to provide for the erection of a town hall in the town of Jamaica, in the county of Queens,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	I. I. HAYES	NIVEN	SEWELL
ALVORD	CORMACK	HENRY	NORTH	SHEARD
ANDREWS	COSAD	HEPBURN	PARKER	SHELDON
ASTOR	CRAWFORD	HOBBIE	PATTENGILL	SKINNER
BAKER	CROWLEY	HOYT	PATTERSON	STORY
BEARD	CURRAN	HURD	CICERO C. PECK	SUTHERLAND
BERRIGAN	DALY	JONES	DEWITT C. PECK	J. T. TAYLOR

BERRY	DAY	KEEGAN	PIPER	TERRY
BOUCK	DEYOE	KELLOGG	PRESCOTT	THOMSON
BROOKS	DOUGLASS	KERN	PROPER	VALENTINE
BROWNING	FLOYD-JONES	LANGNER	REYNOLDS	WADSWORTH
BRUNDAGE	FLYNN	LOWING	ROBERTS	WARING
CASE	FOSTER	J. H. MILLER	ROWLAND	WEMPLE
CHAPPELL	GALVIN	S. V. R. MILLER	SAWYER	WILLERS
CHASE	GRADY	MOLLER	SEARING	WILLIS
CLAPP	HAMILTON	MOOERS	SEEBACHER	WINCH
J. CLARK	HAVENS	NELSON		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 225 of the Laws of 1851, entitled 'An act to incorporate the Ladies' Union Aid Society of the Methodist Episcopal Church in the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOYT	NORTH	SKINNER
ALLEN	CRAWFORD	HULME	NOYES	SLITER
ALVORD	CURRAN	HURD	PARKER	STRACK
ANDREWS	DALY	JONES	PATTENGILL	SUTHERLAND
BAKER	DAY	KEEGAN	CICERO C. PECK	J. T. TAYLOR
BEARD	DEYOE	KELLOGG	DEWITT C. PECK	TERRY
BERRIGAN	DOUGLASS	KERN	PIPER	THAIN
BERRY	FITZGERALD	LANGNER	PRESCOTT	THOMSON
BOUCK	FLOYD-JONES	LOWING	REYNOLDS	VALENTINE
BROOKS	FLYNN	MAPES	ROBERTS	WADSWORTH
BROWNING	GALVIN	MEAD	ROWLAND	WARING
BRUNDAGE	GILBERT	MEKEEL	SAWYER	WEMPLE
CHAPPELL	GRADY	J. H. MILLER	SEEBACHER	WILBOR
CHASE	GRIGGS	S. V. R. MILLER	SEWELL	WILLERS
CLANCY	HAMILTON	MOLLER	SHANLEY	WILLIS
CLAPP	HAVENS	MOOERS	SHEARD	WINCH
J. M. CLARK	HEPBURN	MEYENBORG	SHELDON	WORTH
CORMACK	HOBBIE	NIVEN		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 702 of the Laws of 1870, entitled 'An act to amend the charter of Little Falls,' passed May 6, 1870," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	JONES	PARKER	SKINNER
ALLEN	DAY	KEATOR	PATTENGILL	SLITER
ALVORD	DEYOE	KEEGAN	CICERO C. PECK	STORY
ANDREWS	DOUGLASS	KELLOGG	DEWITT C. PECK	STRACK
BAKER	FITZGERALD	KERN	PIPER	SUTHERLAND
BERRIGAN	FLOYD-JONES	LANGNER	PRESCOTT	J. T. TAYLOR

BERRY	FLYNN	LOWING	PROPER	TERRY
BOUCK	GALVIN	MAPES	PURDY	THAIN
BROOKS	GILBERT	MATTISON	ROBERTS	THOMSON
CHAPPELL	GRIGGS	MEKEEL	ROWLAND	VALENTINE
CHASE	HAMILTON	J. H. MILLER	SAWYER	WADSWORTH
CLAPP	HAVENS	MOOERS	SEARING	WARING
J. CLARK	I. I. HAYES	MEYENBORG	SEEBACHER	WEMPLE
J. M. CLARK	HENRY	NELSON	SEWELL	WILBOR
CONVERSE	HEPBURN	NIVEN	SHAWLEY	WILLERS
CRANDALL	HOBBIE	NORTH	SHEARD	WILLIS
CRAWFORD	HULME	NOYES	SHELDON	WINCH
CROWLEY	HURD			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Hall Association of the Order der Freiheit of the city of Buffalo,' passed April 11, 1870," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOYT	NIVEN	SHANLEY
ALLEN	CROWLEY	HULME	NORTH	SHEARD
ALVORD	CURRAN	HURD	NOYES	SHELDON
ANDREWS	DALY	JONES	PARKER	SKINNER
BAKER	DAY	KEATOR	PATTENGILL	SLITER
BEARD	DEYOE	KEEGAN	PATTERSON	STORY
BERRY	DOUGLASS	KELLOGG	CICERO C. PECK	STRACK
BOUCK	FISH	KERN	DEWITT C. PECK	SUTHERLAND
BROOKS	FITZGERALD	LANGNER	PIPER	J. T. TAYLOR
BROWNING	FLOYD-JONES	LOWING	POOL	THOMSON
BRUNDAGE	GALVIN	MEKEEL	PRESCOTT	VALENTINE
CHAPPELL	GRADY	J. H. MILLER	PROPER	WADSWORTH
CHASE	GRIGGS	S. V. R. MILLER	REYNOLDS	WARING
CLAPP	HAMILTON	MOLLER	ROBERTS	WEMPLE
J. M. CLARK	HAVENS	MOOERS	SAWYER	WILBOR
CONVERSE	HENRY	MEYENBORG	SEEBACHER	WILLERS
CORMACK	HOBBIE	NELSON	SEWELL	WILLIS
CRANDALL	HOLBROOK			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to confirm the official acts of Samuel H. Case, John M. Watkins and William W. Snow, commissioners of excise in and for the town of Oneonta, in the county of Otsego," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81. NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. CLARK	HAMILTON	S. V. R. MILLER	SHEARD
ALLEN	J. M. CLARK	HAVENS	MOLLER	SHELDON
ALVORD	CONVERSE	HENRY	MOOERS	SKINNER
ANDREWS	CORMACK	HOBBIE	NELSON	SLITER

ASTOR	COSAD	HOLBROOK	NIVEN	STORY
BAKER	CRANDALL	HOYT	NORTH	STRACK
BERRIGAN	CRAWFORD	HULME	PARKER	SUTHERLAND
BERRY	CROWLEY	HURD	PATTENGILL	TERRY
BOUCK	CURRAN	JONES	DEWITT C. PECK	THOMSON
BROOKS	DALY	KEATOR	PIPER	VALENTINE
BROWNING	DAY	KELLOGG	POOL	WADSWORTH
BRUNDAGE	DEYOE	KERN	PRESCOTT	WARING
BURNS	DOUGLASS	LANGNER	PROPER	WEMPLE
CASE	FITZGERALD	LOWING	ROBERTS	WILBOR
CHAPPELL	FLOYD-JONES	MEKEEL	SAWYER	WILLIS
CHASE	GALVIN	J. H. MILLER	SEWELL	WINCH
CLAPP				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to change the name of the Union Free School district No. 1, of the town of Clarence," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	J. HAYES	MOOERS	SEWELL
ALLEN	J. M. CLARK	HENRY	MEYENBORG	SHANLEY
ALVORD	CONVERSE	HOBBIE	NELSON	SHEARD
ANDREWS	CORMACK	HULME	NIVEN	SHELDON
ASTOR	COSAD	HURD	NORTH	SKINNER
BAKER	CRANDALL	JONES	NOYES	SUTHERLAND
BEARD	CROWLEY	KEATOR	PARKER	J. T. TAYLOR
BERGEN	CURRAN	KEEGAN	PATTENGILL	TERRY
BERRY	DALY	KELLOGG	PATTERSON	THAIN
BOUCK	FITZGERALD	KERN	CICERO C. PECK	THOMSON
BROOKS	FLOYD-JONES	LOWING	DEWITT C. PECK	VALENTINE
BROWNING	FOSTER	MAPES	POOL	WARING
BRUNDAGE	GALVIN	MEKEEL	PRESCOTT	WEMPLE
CASE	GRADY	J. H. MILLER	PROPER	WILBOR
CHAPPELL	GRIGGS	S. V. R. MILLER	ROBERTS	WILLIS
CHASE	I. I. HAYES	MOLLER	SAWYER	WINCH
CLANCY				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the first day of October, 1878, and to supply, in part, a deficiency in the Sinking Fund under article 7, section 3 of the Constitution," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 92.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HEPBURN	MEYENBORG	SHANLEY
ALVORD	CRANDALL	HOYT	NEILSON	SHEARD
ASTOR	CRAWFORD	HULME	NIVEN	SHELDON
BAKER	CROWLEY	HURD	NORTH	SKINNER

BERGEN	CURRAN	JONES	NOYES	STORY
BERRIGAN	DALY	KEEGAN	PARKER	STRACK
BERRY	DAY	KELLOGG	PATTENGILL	J. T. TAYLOR
BOUCK	DEYOE	KERN	PATTERSON	TERRY
BROOKS	FISH	KING	CICERO C. PECK	THAIN
BROWNING	FITZGERALD	LANGNER	DEWITT C. PECK	THOMSON
BRUNDAGE	FLOYD-JONES	LOVELAND	PIPER	VALENTINE
BURNS	FLYNN	LOWING	POOL	WADSWORTH
CASE	GALVIN	MAPES	PRESCOTT	WARING
CHAPPELL	GRIGGS	MATTISON	PROPER	WEMPLE
CHASE	HALLIDAY	MCDONOUGH	REYNOLDS	WILBOR
CLANCY	HAVENS	J. H. MILLER	ROBERTS	WILLERS
J. CLARK	I. I. HAYES	MOLLER	SAWYER	WILLIAMS
J. M. CLARK	J. HAYES	MOOERS	SEWELL	WILLIS
CONVERSE	HENRY			

Those who voted in the negative, were

DOUGLASS HOLBROOK PURDY

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

When the name of Mr. Holbrook was called, he asked to be, and was not, excused from voting.

The bill entitled "An act to amend section 21 of article 3, title 3, chapter 6, part 1 of the Revised Statutes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 74.

NOES 18.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOYT	MOOERS	SKINNER
ALVORD	CROWLEY	HULME	NELSON	SUTHERLAND
ANDREWS	CURRAN	HURD	NIVEN	J. T. TAYLOR
ASTOR	DALY	JONES	NORTH	TERRY
BERRIGAN	DEYOE	KEEGAN	NOYES	THAIN
BERRY	DOUGLASS	KELLOGG	DEWITT C. PECK	THOMSON
BOUCK	FISH	KERN	PEEK	VALENTINE
BROOKS	FLOYD-JONES	KING	POOL	WADSWORTH
BRUNDAGE	FOSTER	LANGNER	PRESCOTT	WARING
CHAPPELL	GRIGGS	LOVELAND	REYNOLDS	WILBOR
CHASE	HALLIDAY	LOWING	ROBERTS	WILLERS
J. M. CLARK	HAVENS	MATTISON	SAWYER	WILLIS
CONVERSE	I. I. HAYES	MEKEEL	SEWELL	WINCH
CORMACK	HEPBURN	J. H. MILLER	SHEARD	WORTH
CRANDALL	HOLBROOK	S. V. R. MILLER	SHELDON	

Those who voted in the negative, were

ALLEN	BURNS	J. HAYES	MEYENBORG	PIPER
BAKER	FLYNN	HENRY	PATTENGILL	PROPER
BERGEN	GALVIN	MAPES	PATTERSON	WEMPLE
BROWNING	GRADY	MCDONOUGH		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker resumed the chair.

Mr. Speaker announced the special order of the day, being the bill entitled "An act to provide for maintaining the solvency of life insurance companies, and protecting the rights of policyholders."

By unanimous consent,

Mr. Keegan, from the committee on insurance, presented a minority report and bill for the better protection of policyholders of life insurance companies doing business in this State; which were read and referred to the committee of the whole.

The House then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to provide for maintaining the solvency of life insurance companies, and protecting the rights of policyholders."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wemple, from said committee, reported progress on the said named bill, and asked and obtained leave to sit again.

The Senate sent for concurrence the bill entitled as follows:

"An act to provide for more completely equipping the National Guard of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Speaker presented a communication from the mayor of the city of New York, in reference to Assembly bills Nos. 85 and 86, with a resolution of the common council of said city on the same subject; which was read and referred to the committee on affairs of cities.

The Speaker and Clerk, with consent of the Assembly, referred the following entitled bills to the sub-committee of the whole:

Senate, G. O. 314, No. 112, "An act to amend chapter 170 of the Laws of 1866, entitled 'An act to incorporate the village of Montezuma.'"

G. O. 178, No. 156, "An act to authorize the Comptroller to compromise and settle old judgments and contract debts."

G. O. 168, No. 149, "An act to authorize the commissioners for the erection of a city and county hall in the city of Buffalo and county of Erie, to assign a portion of said building for the use of the coroners of said county."

G. O. 88, No. 76, "An act to create a board of pharmacy, and to regulate the sale of medicine in Kings county."

G. O. 235, No. 205, "An act to provide for a revision and codification of the poor laws of this State."

G. O. 225, No. 195, "An act to authorize the common council of the city of New York to change the name of the 'Boulevard' in that city."

G. O. 199, No. 177, "An act to amend chapter 505 of the Laws of 1873, entitled 'An act to reorganize the village of Gloversville,' passed May 14, 1873."

G. O. 275, No. 235, "An act to secure the owners or keepers of breeding stallions and jackasses for the services of same."

G. O. 271, No. 232, "An act to legalize the proceedings of the electors of the town of Fowler, St. Lawrence county, in annual and special town meetings assembled on the 12th and 26th days of February, 1878, in relation to the raising of money for the improvement of certain roads."

G. O. 154, No. 138, "An act to authorize the railroad commissioners of the town of Skaneateles to sell and convey the stock owned by said town in the Skaneateles railroad, and to provide for the disposition of the proceeds thereof."

G. O. 269, No. 230, "An act to amend section 5 of title 1, chapter 16 of part 1 of the Revised Statutes."

G. O. 265, No. 229, "An act to amend an act entitled 'An act to make the office of supervisor in the county of Erie a salaried office, and to provide for the appointment and compensation of other officers of said board,' passed May 13, 1876."

G. O. 262, No. 226, "An act to amend section 18 of article 3, of chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers.'"

G. O. 263, No. 227. "An act providing for determining the time at which annual town meetings shall be held in the respective counties of this State."

G. O. 251, No. 218, "An act authorizing the common council of the city of Buffalo to raise and appropriate money for the poor fund."

G. O. 252, No. 219, "An act in relation to the redemption of lands in the city of Yonkers from sales for unpaid taxes and assessments."

G. O. 284, No. 241, "An act changing the name of the Eagle Fire Engine and Hose Company No. 1, of Butternuts."

G. O. 288, No. 244, "To amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious Society of Friends, passed April 17, 1839.'"

G. O. 299, No. 254, "An act to facilitate the collection of unpaid taxes in Long Island City."

G. O. 291, No. 247, "An act to provide for the examination of banks and banking associations."

G. O. 156, No. 140, "An act to amend chapter 104 of the Laws of 1877, entitled 'An act to authorize the treasurer of Monroe county to sell property for unpaid taxes.'"

G. O. 146, No. 131, "An act in relation to the board of police surgeons and the members thereof, of the city of Brooklyn."

By unanimous consent,

Mr. Browning introduced a bill entitled "An act to amend chapter 514 of the Laws of 1860, entitled 'An act to authorize the construction of a railroad in Fourteenth street, and in other streets and avenues in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Converse introduced a bill entitled "An act to amend an act entitled 'An act to provide for the payment of bonds issued by municipal corporations under the provisions of chapter 907 of the Laws of 1869, entitled An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads,' and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Cormack, and at 1 o'clock and 57 minutes, the House adjourned.

THURSDAY, MARCH 21, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Reeves.

The journal of yesterday was read and approved.

This being the day assigned, under the rule, for the consideration of general orders,

The House resolved itself into a committee of the whole on the bills entitled as follows :

“An act to amend chapter 484 of the Laws of 1862, entitled ‘An act in relation to the courts in the city and county of New York,’ passed April 24, 1862.”

“An act to provide against the use of unsuitable and dangerous telegraph poles in city of New York.”

“An act to further amend chapter 518 of the Laws of 1864, entitled ‘An act to protect butter and cheese manufacturers.’”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Willers, from said committee, reported progress on the first and second named bills, and asked and obtained leave to sit again.

On motion of Mr. Astor, and by unanimous consent, the second named bill was ordered printed, as amended.

Mr. Willers, from the same committee, also reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Thompson moved that the committee of the whole be discharged from the further consideration of Senate bill entitled “An act to extend the time for the completion of the railroad of the Black River and St. Lawrence Railway Company,” and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Indefinite leave of absence was granted to Mr. Hepburn.

Mr. Meyenborg moved that the bill entitled “An act to fix and regulate compensation for services rendered by certain officers in the national guard,” be recommitted to the committee on militia, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

“An act to amend an act entitled ‘An act to amend the charter of the city of Brooklyn and the various amendments thereof,’ passed June 28, 1873.”

“An act to amend an act entitled ‘An act to authorize the trustees of the corporation of the village of Portageville, county of Wyoming, to cause an assessment to be made of the taxable property of said corporation and to be levied and collected, a tax sufficient to pay the indebtedness of said corporation,’ passed June 4, 1877.”

“An act to repeal section 6 of an act entitled ‘An act to amend and make additions to chapter 463 of the Laws of 1860, entitled An act to revise the charter of the city of Oswego, and the acts amendatory thereof,’ passed May 20, 1876.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sliter, from said committee, reported in favor of the passage of the first named bill, with amendments, and the title amended by adding, after the word "amend," the words "chapter 863 of Laws of 1873;" and also striking out the words "passed June 28, 1873," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Sliter, from the same committee, also reported in favor of the passage of the second named bill, with amendments, and the title amended by adding, after the word "amend," in the first line, the words "chapter 409 of the Laws of 1877," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Sliter, from the same committee, also reported in favor of the passage of the last named bill, with the title amended by adding, after the word "of," in the first line, "chapter 367 of the Laws of 1876, entitled;" also, striking out the words "An act," which report was agreed to, and said bill ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend section 1, chapter 209 of the Laws of 1877, entitled 'An act regulating the amount of capital stock for fire and marine insurance companies.'"

"An act to confer additional powers upon the common council of the city of New York."

Senate. "An act to authorize the merging of corporations organized under the act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853, and of the acts amending or extending the same."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Langner, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Langner, from the same committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered to a third reading.

Mr. Flynn offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 114, entitled "An act to provide for the abatement of nuisances by boards of health of incorporated cities," be recommitted to the committee on public health.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to incorporate the Tornado Hook and Ladder Company No. 1 of the village of Union, Broome county, N. Y."

"An act in relation to the disposition and application of moneys raised and collected in the towns of this State for highway and bridge purposes."

"An act for the relief of Sophia Dale, widow of James Alexander Gavin, late of the city of Brooklyn, county of Kings and State of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Seebacher, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Seebacher, from the same committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Seebacher, from the same committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Speaker presented a communication from the board of police of the city of New York, in response to a resolution of the Assembly, relative to the appropriations to the department of police for five years prior to 1878.

On motion of Mr. Fish, said communication was referred to the committee on affairs of cities, and ordered printed.

(See Doc. No. 90.)

Leave of absence was granted to Mr. Palmer.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Connelly, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Connelly, from the same committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill was ordered engrossed for a third reading.

Mr. Connelly, from the same committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act relating to certain indebtedness of the city of New York, and to provide for the payment and cancellation of the same."

"An act to amend chapter 226 of the Laws of 1849, entitled 'An act to enforce the responsibility of stockholders in certain banking corporations and associations, as prescribed by the Constitution, and to provide for the prompt payments of demands against such corporations and associations,' passed April 5, 1849."

"An act limiting the power of the board of education of the city of Oswego, in the purchase of school sites and the erection of school-houses."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Proper, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Proper, from the same committee, also reported in favor of the passage of the two last named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend section 1 of chapter 381 of the Laws of 1873, entitled 'An act for the preservation of fish in waters lying within or border-

ing upon the counties of Schuyler, Steuben, Chemung, Seneca, Yates, and Ontario."

Senate, "An act authorizing and empowering the common council of the city of Rochester to construct lift, hoist, or swing-bridges over the Erie canal at Brown street and at Smith street, in the city of Rochester."

"An act authorizing the Staten Island and New Jersey Suspension Bridge and Railroad Company to change its corporate name, and extending the time for the commencement of work by said corporation."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Parker, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Parker, from the same committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered to a third reading.

Mr. Parker, from the same committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Brooks moved to discharge the committee of the whole from the further consideration of the Assembly bill entitled "An act relating to certain indebtedness of the city of New York, and to provide for the payment and cancellation of the same," and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish moved to take from the table the Assembly bill entitled "An act to amend chapter 126 of the Laws of 1871, entitled 'An act concerning the police life insurance fund, and the powers and duties of the police department of the city of New York.'"

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Fish moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

BATHE	DAY	HOYT	NELSON	SEWELL
BEARD	DEYOE	HULME	NIVEN	SHEARD
BERGEN	DOUGLASS	JONES	NORTH	SHELDON
BERRIGAN	FISH	KEATOR	PARKER	TERRY
BOCK	FITZGERALD	KING	PATTENGILL	THOMSON
BROOKS	FLOYD-JONES	LANGNER	CICERO C. PECK	TOWNSLEY
BROWNING	FLYNN	LOVELAND	DEWITT C. PECK	VALENTINE
BRUNDAGE	FOSTER	LOWING	PIPER	WADSWORTH
CASE	GALVIN	MATTISON	POOL	WARING
CHASE	GILBERT	MCDONOUGH	PROPER	WEMPLE
CLAPP	GRIGGS	MEAD	PURDY	WHEELER
J. M. CLARK	HALLIDAY	MEKEEL	REYNOLDS	WILBOR
CORMACK	HAMILTON	S. V. R. MILLER	ROBERTS	WILLERS
CRANDALL	HAVENS	MOLLER	ROWLAND	WILLIAMS
CROWLEY	I. I. HAYES	MOOERS	SEARING	WILLIS
DALY	HOLBROOK	MEYENBORG	SEEBACHER	

Mr. Purdy moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill in words following, and report forthwith :

Section 1, line 9, by striking out the words "or clerk."

Section 1, line 11, by inserting after the word "pension" the words "of not less than one-quarter and."

Line 12, section 1, by striking out the words "one-third" and inserting instead the words "one-half."

Line 12, section 1, by inserting after the word "officer" the words "under the following conditions."

Line 13, section 1, by inserting after the word "officer" the words "shall have arrived at the age of fifty-five years or."

Line 14, section 1, by striking out the word "fifteen" and inserting the word "twenty."

Line 17, by striking out all after the word "have" and inserting the word "been."

Line 19, by striking out all up to the word "pension."

Line 21, by inserting, at the end of the line, the words "and shall be paid quarterly."

Section 3, by striking out all of line 1 and all of line 2, up to the word "comptroller," and inserting the words "the board of estimate and apportionment shall annually appropriate the sum of fifty thousand dollars, which shall be paid by the."

Line 3, section 3, by striking out the words "paid over."

Line 4, section 3, by striking out all after the word "fund."

Line 5, section 3, by striking out all up to the letter "a," and inserting the words "which said money shall become."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, reported said bill amended as instructed by the House.

Mr. McDonough moved that said bill be recommitted to the committee on affairs of cities, and that the same be ordered printed, as amended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor hereof, and three-fifths being present, as follows:

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	JONES	NELSON	SEWELL
BAKER	DALY	KEATOR	NIVEN	SHEARD
BATHE	DAY	KEEGAN	NORTH	SHELDON
BEARD	DOUGLASS	KING	PARKER	SKINNER
BERGEN	FISH	LANGNER	PATTENGILL	STORY
BERRIGAN	FITZGERALD	LOVELAND	PATTERSON	THOMSON
BOUCK	FLOYD-JONES	LOWING	CICERO C. PECK	TOWNSLEY
BROWNING	FOSTER	MAPES	DEWITT C. PECK	VALENTINE
BURNS	GALVIN	MATTISON	PIPER	WADSWORTH
CASE	GILBERT	MEAD	POOL	WARING
CHASE	HALLIDAY	MEKEEL	PROPER	WEMPLE
CLANCY	HAMILTON	J. H. MILLER	PURDY	WHEELER
CLAPP	HAVENS	S. V. R. MILLER	REYNOLDS	WILBOR
J. M. CLARK	I. I. HAYES	MOLLER	ROBERTS	WILLERS
CORMACK	HENRY	MOOERS	ROWLAND	WILLIAMS
COSAD	HOLBROOK	MEYENBORG	SEARING	WILLIS
CRANDALL	HOYT	NEILSON	SEEBACHER	WINCH
CRAWFORD	HULME			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Meyenborg (for Mr. Jas. Hayes), introduced a bill entitled "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Clapp introduced a bill entitled "An act to prevent the insolvency of banks and banking associations, and for other purposes," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on banks.

The Senate returned the resolution relating to the establishing of a toll-sheet on the Black River canal, with a message that they had concurred in the passage of the same.

The Senate sent for concurrence the bills entitled as follows:

"An act to amend chapter 230 of the Laws of 1850, entitled 'An act to amend an act to incorporate the village of West Troy, and for other purposes, passed April 30, 1836,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act in reference to a site for an additional State prison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

The Senate returned the following entitled bill, with a message that they had reconsidered the vote on the final passage of the same, and had concurred in the amendments of the Assembly thereto:

"An act to establish the exterior bulk-head and pier lines of the harbor of New York, on the Staten Island side."

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bills, with a message that they had concurred in the amendments of the Assembly thereto:

"An act to authorize the town of Otsego, in the county of Otsego, to issue bonds to redeem and pay the bonds issued by said town in aid of the Cooperstown and Susquehanna Valley Railroad Company by virtue of chapter 758 of the Laws of 1865, and by virtue of chapter 422 of the Laws of 1867."

"An act to authorize the village of Richfield Springs, in the county of Otsego, to refund its funded debt."

Ordered, That the Clerk return said bills to the Senate.

Mr. Fish offered, for the consideration of the House, a resolution in the words following:

Whereas, Serious doubt exists as to the constitutionality of the law creating the board of estimate and apportionment in the city of New York, and the conferring upon it of the right to levy taxes, and other legislative powers; and

Whereas, There are several measures before the Assembly, conferring additional powers upon the said board, which should receive early consideration; therefore,

Resolved, That the Attorney-General be requested to give to this House his opinion as to the constitutionality of the law creating the board of estimate and apportionment, and its right to levy taxes.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Chase moved to take from the table and to disagree with the report of the committee on general laws on the bill entitled "An act to repeal subdivision 3 of section 2 of chapter 769 of the Laws of 1857, and chapter 530 of the Laws of 1862, and that the same be referred to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Douglass, Int. No. 561, entitled "An act in addition to an act entitled 'An act relating to the Union cemetery in the town of Bushwick, county of Kings,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Astor, Int. No. 524, entitled "An act to legalize the execution of a certain conveyance by the Kip's Bay Methodist Episcopal Church of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Foster introduced a bill entitled "An act to amend an act to reorganize the Albany Fire Department, passed March 29, 1867, amended February 19, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cormack introduced a bill entitled "An act to amend section 1 of chapter 803 of the Laws of 1868, entitled 'An act to amend the acts to provide for the incorporation of religious societies, so far as the same relate to churches in connection with the Protestant Episcopal Church,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Mattison introduced a bill entitled "An act to facilitate the making of proofs of discharge from State prison, upon a trial for second offence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Winch introduced a bill entitled "An act supplementary to chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,' and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a bill entitled "An act to amend section 9 of chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and police constables in said village, and defining their jurisdiction, powers and duties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Neilson introduced a bill entitled "An act to exempt the town of Waterford, in the county of Saratoga, from the provisions of chapter 99 of the Laws of 1877, entitled 'An act to exempt the county of Suffolk

(except the town of Islip), Onondaga, Saratoga (except Saratoga Springs), Ontario, Yates, Rensselaer, Genesee, Schenectady, Monroe, Livingston, Otsego, Schoharie, Niagara and Orleans from the provisions and operations of chapter 180 of the laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' and to create a board of town auditors in the town of Waterford," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Neilson, and by unanimous consent, said bill was ordered to a third reading.

Mr. Moller introduced a bill entitled "An act to re-enact and amend an act entitled 'An act to amend an act entitled An act to incorporate the village of White Plains, passed April 3, 1866,' passed April 22, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Seebacher introduced a bill entitled "An act to provide for the inspection of elevators, and for better protection of life in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Pool, Int. No. 96, entitled "An act to authorize the maps and surveys of the commissions appointed by the president of the United States, in pursuance of an act of Congress, approved February 19, 1875, to survey, locate and establish proper boundaries and limits of the villages of Vandalia, Carrolton, Great Valley, Salamanca and Red House, to be received in evidence and for other purposes," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. C. C. Peck, Int. No. 219, entitled "An act in relation to the rights and liabilities of married women," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Brooks, Int. No. 678, entitled "An act for the protection of life, and to prevent accident by vessels navigating the port and harbor of New York, and waters adjacent thereto," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hughes, Int. No. 72, entitled "An act to amend section 21 of article 3, title 3, chapter 6, part 1 of the Revised Statutes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Oakley, Int. No. 80, entitled "An act in relation to the local judiciary of Long Island city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Griggs, from the committee on general laws, to which was referred the bill introduced by Mr. Nelson, Int. No. 656, entitled "An act to amend subdivision 2 of section 5, title 1, chapter 13, part 1 of the Revised Statutes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, to which was referred the bill introduced by Mr. Kern, Int. No. 386, entitled "An act to authorize the Pennsylvania and New York Petroleum Transportation Company to use, occupy and enjoy the bed and banks of the Genesee Valley canal for certain purposes," reported in favor of the passage of the same, with amendments (Mr. Willers dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, reported a bill entitled "An act makin an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the 1st day of October, 1878, and to provide for an anticipated deficiency, in former appropriations," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Waring, from the committee on insurance, to which was referred the bill introduced by Mr. Graham, Int. No. 478, entitled "An act to amend an act entitled 'An act to provide security against extraordinary conflagrations, and for the creation of safety funds by fire insurance companies,' passed April 16, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waring, from the committee on insurance, to which was referred the bill introduced by Mr. C. C. Peck, Int. No. 640, entitled "An act to amend chapter 731 of the Laws of 1857, entitled 'An act to authorize the formation of town insurance companies,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Worth (by Mr. Mekeel), from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Purdy, Int. No. 676, entitled "An act to amend chapter 671 of the Laws of 1857, entitled 'An act to establish regulations for the port of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Worth (by Mr. Mekeel), from the committee on commerce and navigation, to which was referred the bill introduced by Mr. I. I. Hayes, Int. No. 621, entitled "An act to provide for the construction, repair and improvement of docks, wharves, piers, slips and bulk-heads in the city of New York, and for the management and control of the same," reported the same for the consideration of the House.

On motion of Mr. Worth, said bill was recommitted to the committee on commerce and navigation.

Mr. Worth, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Story, Int. No. 542, entitled "An act to authorize a change in the location of the Albany and Greenbush bridge," reported adversely thereto, which report was agreed to.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Sutherland, Int. No. 404, entitled "An act declaring certain waters of Stocking run and Conhocton river a public highway," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Bergen, Int. No. 476, entitled "An act to amend chapter 800 of the Laws of 1869, entitled 'An act in rela-

tion to making and repairing highways and bridges in the towns of Flatbush and New Utrecht, in Kings county," reported in favor of the passage of the same.

On motion of Mr. Bergen, and by unanimous consent, said bill was ordered to a third reading.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Sutherland, Int. No. 352, entitled "An act to amend chapter 125 of the Laws of 1870, entitled 'An act to amend section 103 of article 5 of title 1 of chapter 16 of the first part of the Revised Statutes relative to highways and bridges,'" reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the concurrent resolution introduced by Mr. Skinner, "Proposing an amendment to section 6 of article 10 of the Constitution," reported for the consideration of the House, with the title amended so as to read "Concurrent resolution proposing amendments to section 6 of article 10. and sections 3, 5 and 6 of article 3 of the Constitution."

Mr. Skinner moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered engrossed for a third reading and printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Mooers, Int. No. 575, entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported adversely thereto, which report was agreed to.

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Waring, Int. No. 668, entitled "An act to enable the board of education of the city of Brooklyn to sell certain lands," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. King, Int. No. 603, entitled "An act to authorize the trustee of School district No. 2 of the town of Hinsdale to lease the upper story of the district school-house to the town of Hinsdale for a town hall and other purposes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wadsworth, from the committee on agriculture, to which was referred the Senate bill, Int. No. 176, entitled "An act for the protection of dairymen and dealers in milk, and to prevent deception in the sale of milk," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Willers presented a memorial from the town authorities of the town of Romulus, Seneca county, asking for a State appropriation to repair the highway running along the lands of the Willard Asylum; which was read and referred to the committee on ways and means.

Mr. Case, from the committee on game laws, to which was referred the bill introduced by Mr. Alvord, Int. No. 659, entitled "An act to amend chapter 152 of the Laws of 1877, entitled 'An act to amend chapter 389 of the Laws of 1876, entitled An act to amend chapter 504 of the Laws of 1875, entitled An act to amend chapter 455 of the Laws of 1874, entitled An act to protect the fisheries of Cross lake, in the county of

Onondaga, State of New York; also, of Clyde and Seneca rivers, in the counties of Wayne and Cayuga," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. North, from the committee on civil divisions, to which was referred the bill introduced by Mr. Moller, Int. No. 654, entitled "An act to annex the village of West Mount Vernon, in the county of Westchester, to the village of Mount Vernon, in said county, to confirm the tax sales heretofore held in the said village of West Mount Vernon, and to provide for the division of the said village of Mount Vernon into wards, after the annexation of the said village of West Mount Vernon," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Floyd-Jones, and at 2 o'clock, the House adjourned.

FRIDAY, MARCH 22, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Reese.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Nelson offered, for the consideration of the House, resolutions in the words following :

Resolved, That the committee on railroads, while investigating as to what further legislation is necessary to compel the elevated railroads in New York city to extend their tracks in conformity with the requirements of their respective charters, is also hereby required to investigate as to the truth of the charges made in the public press to the effect that the New York Elevated railcal and the Gilbert Elevated railroad have entered into a combination, whereby the latter company is to discontinue its track upon the west side of the city; and be it further

Resolved, That the committee report to this House, by bill or otherwise, what legislation is necessary to compel these companies to comply with their charters.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

Mr. Floyd-Jones moved that the Assembly bill No. 242, G. O. 285, entitled "An act to amend chapter 510 of the Laws of 1869, entitled 'An act to amend an act entitled An act to incorporate the village of Flushing,' passed April 15, 1837, and the several acts amendatory thereof," be recommitted to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foster offered, for the consideration of the House, a resolution in the words following :

Resolved (if the Senate concur), That the oil painting, a portrait of the late Chief Justice Ambrose Spencer, now in the Court of Appeals room, painted by A. W. Twitchell thirty years ago, the same having become damaged, may now be replaced by the artist, Mr. A. W. Twitchell, without any expense to the State, with the one now on exhibition in this city, provided that it shall be accepted by the judges of

said court, in which case the portrait of said Chief Justice Spencer, now in said Court of Appeals rooms, may be returned to the artist.

By unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence a resolution in the words following :

Resolved (if the Assembly concur), That the Clerks of the two Houses be and they are hereby directed to cause all bills containing amendments to existing laws to be so printed that amendments, if they consist in additions thereto, shall appear in italics ; and if they consist in omissions therefrom, they shall be printed in the usual type and be embraced in brackets.

On motion of Mr. Fish, and by unanimous consent, the rules were suspended, and said resolution was passed immediately.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution in the words following :

Resolved (if the Assembly concur), That 1,000 extra copies of the Annual Report of the New York Fishery Commission be printed for the use of the commission.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following resolution :

Resolved (if the Assembly concur), That there be printed 1,000 extra copies of the Annual Report of the Trustees of the State Library for the use of said trustees, of which 500 shall be bound in cloth and 500 copies in paper covers.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following resolution :

Resolved (if the Assembly concur), That 1,000 copies of the Report of the State Commissioner in Lunacy be printed, 500 copies for the use of the commissioner, and 500 copies for the use of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following resolution :

Resolved (if the Assembly concur), That the Governor be and he is hereby authorized to issue to the Utica Citizens' Corps sufficient camp equipage to replace that which said corps loaned to the State, and which has never been returned to them.

Ordered, That said resolution be laid upon the table.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows :

"An act to amend subdivision 4 of section 1 of chapter 257 of the Laws of 1876, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate sent for concurrence the bill entitled as follows :

"An act to amend chapter 371 of the Laws of 1877, entitled 'An act

to provide for the introduction of an improved system of steam towage upon the canals of the State.'” which was read the first time, and by unanimous consent was also read the second time, and referred the committee on canals.

The Senate returned the bill entitled “An act to amend chapter 328 of the Laws of 1868, entitled ‘An act to amend and continue in force an act entitled An act to incorporate an association for the relief of respectable aged, indigent females in the city of New York,’ passed March 10, 1815, and the acts continuing in force and amending the same,” with a message that they do non-concur in the amendments of the Assembly thereto, and have appointed as a committee of conference thereon Messrs. Davenport, Hicks and Raines, and request a like committee on the part of the Assembly.

Mr. Astor moved that a like committee be appointed on the part of the Assembly.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Williams called from the table the report of the sub-committee of the whole, in favor of the passage of the bills entitled as follows:

G. O. 226, No. 196, “An act to amend chapter 624 of the Laws of 1874, entitled ‘An act to amend the several acts incorporating the village of Oswego Falls,’ passed June 9, 1874, and to amend chapter 213 of the Laws of 1866, entitled ‘An act to incorporate the village of Oswego Falls,” passed March 22, 1866.”

G. O. 186, No. 164, “An act authorizing the town of New Lots, in the county of Kings, to issue bonds to the amount of \$10,000, to refund or pay a like amount of bonds issued by said town for the erection of a town house in pursuance of chapter 281 of the Laws of 1872.”

G. O. 236, No. 206, “An act to legalize the acts of Miles H. Bergen, as notary public.”

G. O. 239, No. 209, “An act to establish the compensation of the county judge and surrogate of Saratoga county, pursuant to the 15th section of the amended 6th article of the Constitution.”

G. O. 202, No. 178, “An act in regard to the Union Free School district No. 1, in the village of Fort Edward, and to authorize the board of education thereof to contract with the Fort Edward Collegiate Institute for the use of certain rooms in said institute for school purposes, and for the instruction of pupils therein.”

G. O. 205, No. 181, “An act to reduce the number composing the board of education of Gowanda Union Free School district No. 1, composed of parts of the towns of Persia and Perrysburgh, in Cattaraugus county, and of a part of the town of Collins, in Erie county.”

G. O. 214, No. 189, “An act to protect the seaside boulevard and meadows adjacent thereto on the south shore of Staten Island, and to prevent the same from being injured or overflowed by the waters of the bay of New York.”

Senate, G. O. 122, No. 78, “An act requiring justices of the peace to give bonds.”

G. O. 233, No. 203, “An act to authorize the New York Protestant Episcopal Public School to mortgage real estate in the Nineteenth ward of the city of New York.”

Senate, G. O. 218, No. 71, “An act to amend chapter 308 of the Laws of 1851, entitled ‘An act relative to the New York Baptist Union for Ministerial Education.’”

G. O. 179, No. 157, "An act to amend an act entitled 'An act authorizing the trustees of the village of Ballston Spa to issue bonds to be known as 'extended water bonds,' to pay a portion of the water bonds now outstanding, of said village, maturing in the year 1877 and thereafter,' being chapter 100 of the Laws of 1877."

Senate, G. O. 170, No. 24, "An act to amend chapter 194 of the Laws of 1873, entitled 'An act to continue in force and amend chapter 138 of the Laws of 1852, entitled An act to incorporate the firemen of the city of Utica as a benevolent association.'"

Senate, G. O. 148, No. 56, "An act to amend chapter 30 of the Laws of 1873, entitled 'An act to create a board of charities in and for the city of Utica.'"

The question being on the adoption of the report,

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bills were then ordered engrossed for a third reading.

Mr. Thomson introduced a bill entitled "An act to authorize the election of a special county judge for the Second Assembly district, in the county of Jefferson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Hayes introduced a bill entitled "An act relating to the public place or square known as Washington park, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Berrigan introduced a bill entitled "An act in relation to the slaughtering and converting of animals into articles of merchandise and commerce in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Graham introduced a bill entitled an act in relation to the examination of life insurance companies, and regulating the investments of said companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

On motion of Mr. Graham, and by unanimous consent, said bill was ordered printed.

Also, a bill entitled "An act to provide for the appointment of additional officers in the State Insurance Department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

On motion of Mr. Graham, and by unanimous consent, said bill was ordered printed.

Mr. Bergen introduced a bill entitled "An act to amend section 435 of the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Messrs. Keator, Floyd-Jones and Worth presented petitions against a modification of the excise laws; which were read and referred to the committee on internal affairs.

Messrs. J. H. Miller, Foster and Griggs presented petitions for a

modification of the assessment laws; which were read and referred to the committee on ways and means.

Messrs. Griggs, J. H. Miller and Mattison presented petitions for the passage of a law for the formation of mutual insurance companies; which were read and referred to the committee on insurance.

Messrs. Griggs and J. H. Miller presented petitions in favor of a law creating a board of railroad commissioners; which were read and referred to the committee on railroads.

Messrs. Bergen and Halliday presented petitions sustaining the veto of the Governor, and for the repeal of the 13 chapters of the Code of Civil Procedure; which were read and laid upon the table.

Mr. Parker presented a petition of members of the Ancient Order of United Workmen for an amendment to their charter; which was read and referred to the committee on general laws.

Mr. Townsley presented a petition of citizens of Oneida county for a law for the suppression of tramps; which was read and referred to the committee on the judiciary.

Messrs. Searing, Clancy, Bergen, Valentine, Brooks, S. V. R. Miller, Loveland, Havens, Floyd-Jones, Hulme, Hoyt, Andrews, Mapes, Sutherland and Crowley presented petitions in favor of a modification of the excise laws; which were read and referred to the committee on internal affairs.

Mr. Fish, from the committee on affairs of cities reported a bill entitled "An act relating to the fees, percentages, allowances or salaries of public officers in the cities of the State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Fish moved that said bill be made a special order for Tuesday, April 2, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Lowing, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Peek, Int. No. 629, G. O. No. , entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' so far as the same relates to the village of Northville, in the county of Fulton," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Astor, Int. No. 692, G. O. No. 372, entitled "An act for the removal of the reservoir situated in the city of New York, on Fifth avenue between 40th and 42d streets," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish moved that the committee on affairs of cities be discharged from the further consideration of the Assembly bill, entitled "An act to provide for the election of inspectors of election in the city of Albany," and that said bill be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Graham offered, for the consideration of the House, a resolution in the words following:

Resolved, That the sub-committee of the whole be discharged from the

further consideration of the Assembly bill, No. 179, G. O. No. 203, entitled "An act to authorize the board of education of Union Free School, district No. 2, of the town of Highlands, in the county of Orange, to raise money for the purchase of a school-house and site," and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Graham moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Cormack offered, for the consideration of the House, a resolution in the words following :

Resolved, That the Clerk of this House be and he is hereby directed to turn over to the committee on civil divisions, all papers pertaining to Assembly bill No. 612, introduced by Mr. Decker in 1875, entitled "An act to alter the boundary lines between the towns of Davenport and Meredith, in the county of Delaware."

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

Mr. Griggs offered, for the consideration of the House, a resolution in the words following :

Whereas, The Superintendent of the New Capitol has advertised for bids or proposals to do work and furnish materials for the completion of the north center of the New Capitol, and such proposals have been made by various parties, in due form, among others, there being bids on proposals for the carpenter and cabinet work, which bids were opened on the nineteenth instant, at a meeting of the board of Commissioners of the New Capitol, and said Commissioners proceeded to award the said contract for the carpenter and cabinet work, to a bidder who was not the lowest bidder by over \$1,000, contrary, as it is alleged, to the statute in such case made and provided.

Resolved, That it be referred to the committee on the judiciary to report to this House, whether the law does or does not require such contracts to be let to the lowest bidder, and if they report that it does not, to report a bill amendatory, or otherwise requiring absolutely the letting of such contracts to the lowest bidder or bidders.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Havens called from the table a resolution, previously offered by him, in the words following :

Resolved (if the Senate concur), That the people of the State of New York, speaking through their representatives in the Legislature, do hereby protest to the honorable the Congress of the United States against the passage of the bill introduced by Senator Sargent, whereby it is proposed to transfer the control of the life-saving service on the seaboard and the lake coasts from the Treasury to the Navy Department, believing such transfer to be unjust to the officials who have brought said service to its present stage of efficiency ; unwise by reason of its necessarily disorganizing effect upon the crews, and inexpedient as substituting inexperienced and perhaps incompetent persons in the places of those who, by occupation and local experience, have become

qualified to man the surf-boats and efficiently discharge the other duties of the service. We therefore request our representatives in senate and congress to oppose the transfer.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. McDonough offered, for the consideration of the House, a resolution in the words following:

Resolved, That this House adjourn to-day at one o'clock, to meet again on Monday evening at eight o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Seebacher offered, for the consideration of the House, a resolution in the words following:

Resolved, That the board of education of the city of New York, be requested to furnish forthwith the following information:

1st. Under the rule recently adopted by said board, to wit, that "all persons employed as principals of grammar or of primary departments and schools, who shall have been so employed for a period of fourteen years, shall be paid not less than the following annual salaries, if approved by a majority vote of all the members of the board of education. For principals of male departments, twenty-five hundred dollars (\$2,500); for principals of female departments, nineteen hundred dollars (\$1,900); for principals of primary departments and schools, seventeen hundred and fifty dollars (\$1,750). How many principals of schools in the city of New York come under this fourteen years service clause?

2d. What is the average attendance of pupils in their respective schools?

3d. Why is the distinction made between principals who have served for fourteen years, and vice-principals and teachers who have served for a like period, but are not similarly protected as to their salaries?

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Fish offered, for the consideration of the House, a resolution in the words following:

Resolved, That the Auditor of the Canal Department be requested to inform this House the amount of money paid from the State treasury, and the parties to whom paid, during the last ten years, for any patent or other experiment for steam towage on the canals.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Sutherland introduced a bill entitled "An act to repeal sections 3, 4, 5, 6, 7 and 8 of chapter 392 of the Laws of 1873, entitled 'An act for the relief of the Corning library,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 161 of the Laws of 1876, entitled 'An act to amend chapter 563 of the Laws of 1869, entitled An act to amend an act entitled An act to protect butter and cheese manufacturers,' passed May 2, 1864."

"An act to further amend chapter 518 of the Laws of 1864, entitled 'An act to protect butter and cheese manufacturers.'"

"An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,' passed June 28, 1873."

"An act to amend an act entitled 'An act to authorize the trustees of the corporation of the village of Portageville, county of Wyoming, to cause an assessment to be made of the taxable property of said corporation and to be levied and collected, a tax sufficient to pay the indebtedness of said corporation,' passed June 4, 1877."

"An act to repeal section 6 of an act entitled 'An act to amend and make additions to chapter 463 of the Laws of 1860, entitled An act to revise the charter of the city of Oswego, and the acts amendatory thereof,' passed May 20, 1876."

"An act to amend section 1, chapter 209 of the Laws of 1877, entitled 'An act regulating the amount of capital stock for fire and marine insurance companies.'"

"An act to confer additional powers upon the common council of the city of New York."

"An act in relation to the disposition and application of moneys raised and collected in the towns of this State for highway and bridge purposes."

"An act for the relief of Sophia Dale, widow of James Alexander Gavin, late of the city of Brooklyn, county of Kings and State of New York."

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

"An act to amend chapter 226 of the Laws of 1849, entitled 'An act to enforce the responsibility of stockholders in certain banking corporations and associations, as prescribed by the Constitution, and to provide for the prompt payments of demands against such corporations and associations,' passed April 5, 1849."

"An act limiting the power of the board of education of the city of Oswego in the purchase of school sites and the erection of school-houses."

"An act authorizing the Staten Island and New Jersey Suspension Bridge and Railroad Company to change its corporate name, and extending the time for the commencement of work by said corporation."

"An act to exempt the town of Waterford, in the county of Saratoga, from the provisions of chapter 99 of the Laws of 1877 entitled 'An act to exempt the county of Suffolk (except the town of Islip), Onondaga, Saratoga (except Saratoga Springs), Ontario, Yates, Rensselaer, Genesee, Schenectady, Monroe, Livingston, Otsego, Schoharie, Niagara and Orleans from the provisions and operation of chapter 180 of the Laws of 1875, entitled An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' and to create a board of town auditors in the town of Waterford."

"An act to amend chapter 800, of the Laws of 1869, entitled 'An act in relation to making and repairing highways and bridges in the towns of Flatbush and New Utrecht, in Kings county.'"

"Concurrent resolution, authorizing the Canal Board to regulate the tolls on the Black River canal."

Mr. Speaker directed the Clerk to call the roll so as to ascertain if a quorum was present, when the following gentlemen answered to their names :

ABBOTT	DALY	JONES	NOYES	SKINNER
ANDREWS	FISH	KEATOR	PARKER	SLITER
ASTOR	FITZGERALD	KEEGAN	PATTENGILL	STORY
BERGEN	FLOYD-JONES	LOVELAND	PATTERSON	SUTHERLAND
BERRIGAN	FLYNN	LOWING	CICERO C. PECK	TERRY
BOUCK	FOSTER	MAPES	DeWITT C. PECK	THOMSON
BROOKS	GALVIN	MATTISON	PIPER	TOWNSLEY
BRUNDAGE	GILBERT	MCDONOUGH	POOL	WARING
CHASE	GRIGGS	MEKEEL	PRESCOTT	WEMPLE
CLAPP	HALLIDAY	J. H. MILLER	PROPER	WHEELER
CONVERSE	HAMILTON	MOLLER	PURDY	WILBOR
CORMACK	HAVENS	MOOERS	REYNOLDS	WILLERS
COSAD	I. I. HAYES	NEILSON	ROBERTS	WILLIAMS
CRANDALL	HOLBROOK	NELSON	SEARING	WILLIS
CRAWFORD	HOYT	NIVEN	SEEBACHER	WINCH
CROWLEY	HULME	NORTH	SHELDON	

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A quorum being present,

Mr. Speaker announced, pursuant to ninth joint rule, order of business, third reading of bills.

The bill entitled "An act to amend chapter 161 of the Laws of 1876, entitled 'An act to amend chapter 563 of the Laws of 1869, entitled An act to amend an act entitled An act to protect butter and cheese manufacturers,' passed May 2, 1864," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	J. HAYES	MOOERS	SHELDON
ANDREWS	CROWLEY	HENRY	MEYENBORG	SKINNER
ASTOR	DALY	HOLBROOK	NIVEN	SLITER
BATHE	DOUGLASS	HOYT	NORTH	STORY
BERGEN	FISH	HULME	NOYES	STRACK
BERRIGAN	FITZGERALD	JONES	PARKER	SUTHERLAND
BOUCK	FLOYD-JONES	KEATOR	PATTENGILL	TERRY
BROOKS	FLYNN	KEEGAN	CICERO C. PECK	THAIN
BRUNDAGE	FOSTER	LOVELAND	DeWITT C. PECK	THOMSON
CASE	GALVIN	LOWING	PIPER	TOWNSLEY
CHASE	GILBERT	MAPES	POOL	WARING
CLAPP	GRAHAM	MATTISON	PRESCOTT	WEMPLE
J. M. CLARK	GRIGGS	MCDONOUGH	REYNOLDS	WILLERS
CONVERSE	HALLIDAY	MEAD	ROBERTS	WILLIAMS
CORMACK	HAMILTON	MEKEEL	SEARING	WILLIS
COSAD	HAVENS	J. H. MILLER	SEEBACHER	WINCH
CRANDALL	I. I. HAYES	S. V. R. MILLER	SEWELL	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Clapp in the chair.

The bill entitled "An act to amend chapter 163 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HAVENS	NEILSON	SEWELL
ANDREWS	CRANDALL	I. I. HAYES	NELSON	SHELDON
ASTOR	CRAWFORD	HOYT	NIVEN	SKINNER
BAKER	DALY	HULME	NORTH	STRACK
BERGEN	DOUGLASS	JONES	PARKER	SUTHERLAND
BERRIGAN	FISH	KEATOR	PATTENGILL	TERRY
BOUCK	FITZGERALD	KEEGAN	CICERO C. PECK	THOMSON
BROOKS	FLOYD-JONES	LOVELAND	DEWITT C. PECK	TOWNSLEY
BRUNDAGE	FLYNN	LOWING	PIPER	WARING
CASE	FOSTER	MAPES	POOL	WEMPLE
CHASE	GALVIN	MATTISON	PRESCOTT	WILBOR
CLANCY	GILBERT	MCDONOUGH	PROPER	WILLERS
CLAPP	GRAHAM	MEAD	REYNOLDS	WILLIAMS
J. CLARK	GRIGGS	MEKEEL	ROWLAND	WILLIS
J. M. CLARK	HALLIDAY	S. V. R. MILLER	SEARING	WINCH
CONVERSE	HAMILTON	MOOERS	SEEBACHER	WORTH
CORMACK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 409 of the Laws of 1877, entitled 'An act to authorize the trustees of the corporation of the village of Portageville, county of Wyoming, to cause an assessment to be made of the taxable property of said corporation, and to be levied and collected a tax sufficient to pay the indebtedness of said corporation, passed June 4, 1877,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	HOYT	NORTH	SHELDON
ANDREWS	DOUGLASS	HULME	NOYES	SKINNER
ASTOR	FISH	JONES	PARKER	STORY
BAKER	FITZGERALD	KEATOR	PATTENGILL	STRACK
BERGEN	FLOYD-JONES	KEEGAN	CICERO C. PECK	SUTHERLAND
BERRIGAN	FLYNN	LOVELAND	DEWITT C. PECK	TERRY
BOUCK	FOSTER	LOWING	PIPER	THAIN
BROOKS	GALVIN	MAPES	POOL	TOWNSLEY
BRUNDAGE	GILBERT	MATTISON	PRESCOTT	WARING
CASE	GRAHAM	MCDONOUGH	PROPER	WEMPLE
CHASE	GRIGGS	MEAD	PURDY	WILBOR
CLANCY	HALLIDAY	MEKEEL	REYNOLDS	WILLERS
CLAPP	HAMILTON	MOOERS	ROBERTS	WILLIAMS
J. M. CLARK	HAVENS	NELSON	SEARING	WILLIS
CONVERSE	I. I. HAYES	NELSON	SEEBACHER	WINCH
CORMACK	J. HAYES	NIVEN	SEWELL	WORTH
CRANDALL	HENRY			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal section 6 of an act entitled 'An act to amend and make additions to chapter 463 of the Laws of 1860, entitled An act to revise the charter of the city of Oswego, and the acts amendatory thereof,' passed May 20, 1876," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	J. HAYES	NIVEN	SEEBACHER
ANDREWS	CRAWFORD	HOYT	NORTH	SEWELL
ASTOR	DALY	HULME	NOYES	SHELDON
BAKER	DOUGLASS	JONES	PARKER	SKINNER
BERGEN	FISH	KEATOR	PATTENGILL	SLITER
BERRIGAN	FITZGERALD	KEEGAN	CICERO C. PECK	SUTHERLAND
BOUCK	FLOYD-JONES	LOVELAND	DEWITT C. PECK	TERRY
BROWNING	FLYNN	LOWING	PIPER	THOMSON
BRUNDAGE	FOSTER	MAPES	POOL	WARING
CASE	GALVIN	MATTISON	PRESCOTT	WEMPLE
CHASE	GILBERT	MCDONOUGH	PROPER	WHEELER
CLAPP	GRAHAM	MEAD	PURDY	WILBOR
J. M. CLARK	GRIGGS	MEKEEL	REYNOLDS	WILLIAMS
CONVERSE	HAMILTON	J. H. MILLER	ROBERTS	WILLIS
CORMACK	HAVENS	S. V. R. MILLER	ROWLAND	WINCH
COSAD	I. I. HAYES	MOOERS	SEARING	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1, chapter 209, of the Laws of 1877, entitled 'An act regulating the amount of capital stock for fire and marine insurance companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOYT	NIVEN	SKINNER
ANDREWS	CROWLEY	HULME	NORTH	SLITER
ASTOR	DALY	JONES	NOYES	SUTHERLAND
BERGEN	DOUGLASS	KEATOR	PARKER	TERRY
BERRIGAN	FISH	KEEGAN	CICERO C. PECK	THOMSON
BOUCK	FITZGERALD	LOVELAND	DEWITT C. PECK	TOWNSLEY
BROOKS	FLOYD-JONES	LOWING	PIPER	VALENTINE
BROWNING	FOSTER	MAPES	POOL	WARING
BRUNDAGE	GALVIN	MATTISON	PRESCOTT	WEMPLE
CASE	GILBERT	MEAD	PURDY	WHEELER
CHASE	GRAHAM	MEKEEL	REYNOLDS	WILBOR
CLAPP	HALLIDAY	J. H. MILLER	ROBERTS	WILLERS
J. M. CLARK	HAMILTON	S. V. R. MILLER	SEARING	WILLIAMS
CONVERSE	HAVENS	MOOERS	SEEBACHER	WILLIS
CORMACK	I. I. HAYES	MEYENBORG	SEWELL	WINCH
COSAD	J. HAYES	NELSON	SHELDON	WORTH
CRANDALL	HENRY			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confer additional powers upon the common council of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 35.

NOES 39.

Those who voted in the affirmative, were

BERGEN	CORMACK	HOLBROOK	MATTISON	PROPER
BERRIGAN	COSAD	HOYT	MEKEEL	SKINNER
BROOKS.	CRANDALL	KEATOR	J. H. MILLER	THOMSON
BRUNDAGE	DOUGLASS	KEEGAN	NIVEN	VALENTINE
CLANCY	GALVIN	LOVELAND	NOYES	WILBOR
CLAPP	GILBERT	LOWING	PARKER	WILLERS
CONVERSE	HAMILTON	MAPES	DeWITT C. PECK	WILLIS

Those who voted in the negative, were

ANDREWS	FITZGERALD	HULME	POOL	SUTHERLAND
ASTOR	FLOYD-JONES	JONES	PRESCOTT	TERRY
BOUCK	FLYNN	S. V. R. MILLER	PURDY	WARING
CASE	FOSTER	MOLLER	REYNOLDS	WEMPLE
CHASE	HAVENS	MOOERS	ROBERTS	WHEELER
J. M. CLARK	I. I. HAYES	MEYENBORG	ROWLAND	WINCH
CRAWFORD	J. HAYES	PATTENGILL	SHELDON	WORTH
FISH	HENRY	PATTERSON	STRACK	

Mr. Daly moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 75.

NOES 12.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HALLIDAY	MOLLER	ROWLAND
ANDREWS	COSAD	HAMILTON	MOOERS	SEARING
ASTOR	CRANDALL	I. I. HAYES	MEYENBORG	SEEBACHER
BAKER	CRAWFORD	HENRY	NEILSON	SHELDON
BATHE	CROWLEY	HOLBROOK	NELSON	STRACK
BERGEN	DALY	HOYT	NORTH	SUTHERLAND
BERRIGAN	DOUGLASS	JONES	PATTENGILL	TERRY
BOUCK	FISH	KEATOR	PATTERSON	VALENTINE
BRUNDAGE	FITZGERALD	KEEGAN	CICERO C. PECK	WARING
CASE	FLOYD-JONES	LOVELAND	DeWITT C. PECK	WEMPLE
CHASE	FLYNN	LOWING	POOL	WHEELER
CLAPP	FOSTER	MAPES	PRESCOTT	WILBOR
J. CLARK	GALVIN	MCDONOUGH	PROPER	WILLIS
J. M. CLARK	GILBERT	J. H. MILLER	PURDY	WINCH
CONVERSE	GRIGGS	S. V. R. MILLER	ROBERTS	WORTH

Those who voted in the negative, were

BROOKS	MEKEEL	PARKER	REYNOLDS	THOMSON
HULME	NIVEN	PIPER	SKINNER	WILLERS
MATTISON	NOYES			

Mr. Daly moved to recommit said bill to the committee on the affairs of cities, with instructions to amend the same, and report forthwith, by striking out all of section 1.

Make section "2" section "1;" and amend said section, line 1, engrossed bill, by striking out the word "said."

Same line, after the word "council," insert the words "of the city of New York."

Same line, after the word "is," insert the word "hereby."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Daly, and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 73.

NOES 3.

Those who voted in the affirmative, were

ANDREWS	DOUGLASS	HOLBROOK	NORTH	SEARING
ASTOR	FISH	HOYT	NOYES	SEEBACHER
BAKER	FITZGERALD	JONES	PARKER	SHELDON
BATHE	FLOYD-JONES	KEATOR	PATTENGILL	SLITER
BRUNDAGE	FLYNN	KEEGAN	PATTERSON	SUTHERLAND
CASE	FOSTER	LOVELAND	CICERO C. PECK	TERRY
CHASE	GALVIN	LOWING	DEWITT C. PECK	THOMSON
CLANCY	GILBERT	MCDONOUGH	PIPER	VALENTINE
CLAPP	GRIGGS	MEKEEL	POOL	WARING
J. CLARK	HALLIDAY	S. V. R. MILLER	PROPER	WEMPLÉ
CONVERSE	HAMILTON	MOLLER	PURDY	WILLERS
CORMACK	HAVENS	MOOERS	ROBERTS	WILLIS
COSAD	I. I. HAYES	MEYENBORG	ROWLAND	WINCH
CROWLEY	J. HAYES	NEILSON	SAWYER	WORTH
DALY	HENRY	NELSON		

Those who voted in the negative, were

HULME	NIVEN	SKINNER
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the disposition and application of moneys raised and collected in the towns of this State for highway and bridge purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ANDREWS	CORMACK	HENRY	PARKER	SHELDON
ASTOR	CRANDALL	HOYT	PATTENGILL	SKINNER
BAKER	DOUGLASS	HULME	CICERO C. PECK	SLITER
BATHE	FISH	JONES	DEWITT C. PECK	STORY
BERGEN	FITZGERALD	KEATOR	PIPER	SUTHERLAND
BOUCK	FLOYD-JONES	KEEGAN	POOL	TERRY
BROOKS	FLYNN	LOVELAND	PRESCOTT	THOMSON
BROWNING	FOSTER	LOWING	PROPER	VALENTINE
BRUNDAGE	GALVIN	MCDONOUGH	PURDY	WARING
CASE	GILBERT	J. H. MILLER	REYNOLDS	WEMPLÉ
CHASE	GRIGGS	MOLLER	ROBERTS	WILBOR
CLANCY	HALLIDAY	MOOERS	ROWLAND	WILLIAMS
CLAPP	HAMILTON	NIVEN	SEARING	WILLIS
J. CLARK	HAVENS	NORTH	SEEBACHER	WINCH
J. M. CLARK	I. I. HAYES	NOYES	SEWELL	WORTH
CONVERSE	J. HAYES,			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	J. HAYES	PARKER	SKINNER
ASTOR	CROWLEY	HOYT	PATTENGILL	SLITER
BAKER	DALY	HULME	PATTERSON	SUTHERLAND
BATHE	DEYOE	JONES	CICERO C. PECK	TERRY
BERGEN	DOUGLASS	KEATOR	PIPER	THOMSON
BOUCK	FISH	KEEGAN	POOL	TOWNSLEY
BROOKS	FITZGERALD	MATTISON	PRESCOTT	VALENTINE
BROWNING	FLOYD-JONES	MCDONOUGH	PROPER	WEMPLE
BRUNDAGE	FOSTER	MEAD	PURDY	WHEELER
CASE	FRANK	MEKEEL	REYNOLDS	WILBOR
CHASE	GALVIN	MOLLER	ROBERTS	WILLERS
CLANCY	GILBERT	MOOERS	ROWLAND	WILLIAMS
CLAPP	GRIGGS	MEYENBORG	SEARING	WILLIS
J. M. CLARK	HALLIDAY	NELSON	SEEBACHER	WINCH
CONVERSE	HAMILTON	NIVEN	SHELDON	WORTH
CORMACK	HAVENS	NORTH		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to exempt the town of Waterford, in the county of Saratoga, from the provisions of chapter 99 of the Laws of 1877, entitled 'An act to exempt the county of Suffolk (except the town of Islip), Onondaga, Saratoga (except Saratoga Springs), Ontario, Yates, Rensselaer, Genesee, Schenectady, Monroe, Livingston, Otsego, Schoharie, Niagara and Orleans from the provisions and operations of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of the State, and to prescribe their powers and duties, and to create a board of town auditors in the town of Waterford,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HAMILTON	NELSON	SEEBACHER
ANDRÉWS	COSAD	HAVENS	NIVEN	SHELDON
ASTOR	CRANDALL	J. HAYES	NORTH	SKINNER
BAKER	CROWLEY	HENRY	PARKER	SUTHERLAND
BATHE	DALY	HOLBROOK	PATTENGILL	TERRY
BERGEN	DEYOE	HOYT	PATTERSON	THOMSON
BERRIGAN	DOUGLASS	JONES	CICERO C. PECK	TOWNSLEY
BOUCK	FISH	KEATOR	DEWITT C. PECK	VALENTINE
BROOKS	FITZGERALD	KEEGAN	PIPER	WEMPLE
BRUNDAGE	FLOYD-JONES	MATTISON	POOL	WHEELER
CASE	FLYNN	MEKEEL	PRESCOTT	WILBOR
CHASE	FOSTER	J. H. MILLER	PURDY	WILLERS
CLAPP	GALVIN	S. V. R. MILLER	REYNOLDS	WILLIAMS
J. CLARK	GILBERT	MOLLER	ROBERTS	WILLIS
J. M. CLARK	GRIGGS	MOOERS	ROWLAND	WINCH
CONVERSE	HALLIDAY	NEILSON	SEARING	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Terry, from the committee on privileges and elections, to which was referred the petition of Charles H. Duell, claiming the seat of John Clark as member of Assembly from the Thirteenth Assembly district of the city of New York, presented the following report :

To the Honorable the Assembly of the State of New York :

Your committee have held several meetings in the cities of Albany and New York, have taken a large amount of testimony, examined over 120 witnesses, and listened to long and exhaustive arguments from the counsel for the contestant and sitting member.

This contest turns upon the allegations and specifications contained in the petition of the contestant, and the answer of the sitting member that the sitting member and the contestant had cast and counted for them a large number of illegal ballots by persons voting on fraudulent naturalization papers.

There were three candidates for Assembly in this district, John Clark (Tammany Democrat), Charles H. Duell (Republican and Anti-Tammany) and John D. McLean (Hayes Republican).

The vote, as counted and declared by the board of county canvassers, was as follows :

For John Clark.....	2,581
For Charles H. Duell.....	2,567
For John D. McLean.....	269
Scattering, blank and defective.....	26

Thus giving the sitting member over the contestant a plurality of 14 votes.

The evidence taken by your committee principally relates to the manner in which aliens were naturalized in various years, more especially in the Supreme and Superior Courts of the city of New York in the year 1868. We believe there is no evidence before us to sustain the allegations of illegal naturalizations in any year, or in any courts other than in the Supreme and Superior Courts of the city of New York during the year 1868, and we therefore confine our report to the evidence relating to that year.

The question is not a new one. In this State, in the year 1868, there occurred a series of frauds upon the elective franchise so unusual and overwhelming as to challenge the attention of the country, and in the light of subsequent developments, we think no one will now be found to defend them.

These frauds have been investigated in several election cases, the most notable being those of Van Wick agst. Greene, in the 41st Congress, and the case of McLeod agst. Halpine, in the Assembly of 1869.

The evidence in this case shows that 97 persons voted in this district, at the late election, whose only right to vote was based upon certificates of naturalization, granted by the Supreme and Superior Courts of the city of New York, in 1868. Of that number, 64 voted for the sitting member, 24 for the contestant; and that the balance should not be counted against either party to this contest.

The evidence in regard to the method of naturalization, adopted by those courts in 1868, does not conflict.

It is undisputed that 10,000 certificates of naturalization were issued in about two weeks by one judge in the Supreme Court, and that 18,000 were issued in the Superior Court during the month of October.

The testimony also shows that a large number of certificates of naturalization were granted to parties, whose names, even, do not appear on the court lists.

The evidence in regard to these particular cases, shows that it was very easy for an alien to be changed into a citizen in those courts in that year. Witnesses were readily obtained to swear that the applicant had been in the United States and the State of New York the requisite time, and had demeaned himself as a good citizen.

In these naturalization papers, appear several times the familiar names of James Goff, John Ward, Garratt Dillon, James McCabe, John Moran and Owen Gannon.

Under these circumstances, it is not strange that ten of the witnesses before your committee, were not acquainted with the names of these pretended witnesses, or had known them a shorter time than the law required.

Of the 97 persons voting upon these certificates, 66 are claimed to have come to this country before they were 18 years of age, and, therefore, could be naturalized on what are known as Minor Papers.

When we come to the proof, and examine these witnesses, 37 of the number admit this was not true.

Four testify that they had not lived five years in the United States, at the time of the alleged naturalization, as required by law; and two that they never went to court for their papers; and two that they were never sworn in court.

At least 30 of the affidavits found on file in the clerk's office are either signed when the evidence of the parties themselves shows that they could not write, or that the signatures are not theirs, or they are signed by mark when the party could write.

But we deem it unnecessary to enlarge upon the facts to show how utterly the law was disregarded in the issuing of these illegal certificates, as the result at which we have arrived would not be materially changed thereby.

There is a fatal defect which vitiates all these certificates, viz: that there are no minutes or records showing any proceeding in naturalization, or any judgment of the court in any of the cases before us in either of those courts in the year 1868.

The courts of the United States and of this State have laid down the following as the law in naturalization proceedings: That the proceeding is a judicial one; that the powers conferred upon and exercised by the courts are judicial and not ministerial; that the determination of the court is the judgment of the court; and that the right of citizenship can only be conferred by the judgment of the court. Hence it follows that the certificates are void, there being no record of any proceeding or judgment of the court. The only certificate known to the law is a certified copy of the record of the naturalization, and if a certificate is issued where no record exists, the certificate clearly has no validity or life.

The affidavits on file in the courts are, aside from their falsity, of no validity to sustain the alleged proceedings, for the law does not authorize the court to receive affidavits, and such affidavits are incompetent and inadmissible as evidence. No one making such an affidavit could be convicted of perjury, no matter how false it might be. Because some of these men may have been entitled to naturalization, is no reason why the fraudulent manner in which these certificates were issued should be overlooked. For surely it is not the *right* to naturalization, but natural-

ization itself, awarded by the proper judgment of a court of competent jurisdiction, and this alone, that gives citizenship, and with it a right to vote under the Constitution and laws.

Your committee have no doubt that in contested election cases, legislative bodies have an absolute power to inquire into the right of a party to vote, when that right is based upon an alleged certificate of naturalization, and decisions in the Congress of the United States and the Senate and Assembly of this State, sustain the position.

If the naturalization of persons, who desire to become citizens of this country, is to be conducted according to law, both National and State, then not one of these men, who are shown to have voted in this district, on certificates of naturalization, issued in the Supreme and Superior Courts of the city of New York, in 1868, were naturalized according to law.

It is essential for the protection of both the government and aliens, that the safeguards which the laws of the United States have thrown around the granting of the right of American citizenship, should be preserved; and so believing, your committee have rejected the votes cast by these men.

In the face of the facts, and the law, it is impossible to arrive at any different conclusion.

And your committee find that the sitting member now occupies his seat in the Assembly of the State of New York, by virtue of votes cast by those who were not legally entitled to vote. That 64 votes should be deducted from the vote allowed by the board of canvassers for John Clark; and that 24 votes should be deducted from the votes allowed by the board of canvassers for Charles H. Duell. The result will be to give a majority of 26 for Charles H. Duell.

Your committee therefore find that John Clark is not entitled to the seat he now occupies in this House, and recommend the adoption of the following resolution:

Resolved, That Charles H. Duell was duly elected member of Assembly from the Thirteenth Assembly district of the city of New York, at the election held therein on the 6th day of November, 1877, and that he is entitled to the seat now occupied by John Clark.

All of which is respectfully submitted.

GEO. L. TERRY,
S. B. KERN,
C. D. PRESCOTT,
HAMILTON FISH, JR.,
JAMES G. GRAHAM,

Committee.

Dated *March 20*, 1878.

Mr. Speaker resumed the chair.

Mr. Terry moved that said report be laid on the table and ordered printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

(*See Doc. No. 91.*)

Mr. Terry moved that said report be made a special order for Thursday morning next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Terry moved that said report be made a special order for Friday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" having been announced for a third reading,

On motion of Mr. C. C. Peck, and by unanimous consent, said bill was amended in the following words:

Subdivision 10, line 2, after the word "Putnam," insert the word "Green."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 81. NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	HOYT	NIVEN	SHELDON
ANDREWS	DEYOE	HULME	NOYES	SKINNER
ASTOR	DOUGLASS	JONES	PARKER	STRACK
BAKER	FISH	KEATOR	PATTENGILL	SUTHERLAND
BATHE	FLOYD-JONES	KEEGAN	PATTERSON	TERRY
BERGEN	FLYNN	LOVELAND	CICERO C. PECK	THOMSON
BERRIGAN	FOSTER	LOWING	DEWITT C. PECK	TOWNSLEY
BOUCK	GALVIN	MAPES	PIPER	VALENTINE
BROOKS	GILBERT	MATTISON	POOL	WARING
CASE	GRIGGS	MCDONOUGH	PRESCOTT	WEMPLE
CHASE	HALLIDAY	MEKEEL	PURDY	WHEELER
CLAPP	HAMILTON	J. H. MILLER	REYNOLDS	WILBOR
J. M. CLARK	HAVENS	S. V. R. MILLER	ROBERTS	WILLIAMS
CONVERSE	I. I. HAYES	MÖLLER	ROWLAND	WILLIS
CORMACK	J. HAYES	MOOERS	SEARING	WINCH
CRANDALL	HENRY	MEYENBORG	SEWELL	WORTH
CRAWFORD				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 226 of the Laws of 1849, entitled 'An act to enforce the responsibility of stockholders in certain banking corporations and associations as prescribed by the Constitution, and to provide for the prompt payment of demands against such corporations and associations,' passed April 5, 1849," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 78. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOYT	NELSON	SHANLEY
ASTOR	COSAD	HULME	NIVEN	SHELDON
BAKER	CRANDALL	JONES	NORTH	SKINNER
BATHE	CROWLEY	KEATOR	NOYES	SUTHERLAND
BEARD	DALY	KEEGAN	PARKER	TERRY
BERGEN	FISH	LOVELAND	PATTENGILL	THOMSON
BERRIGAN	FLOYD-JONES	LOWING	CICERO C. PECK	VALENTINE
BOUCK	FOSTER	MAPES	DEWITT C. PECK	WARING

BROOKS	GALVIN	MATTISON	PIPER	WEMPLE
BRUNDAGE	GRIGGS	MEKEEL	POOL	WHEELER
CASE	HALLIDAY	J. H. MILLER	PRESCOTT	WILLERS
CHASE	HAMILTON	S. V. R. MILLER	REYNOLDS	WILLIAMS
CLANCY	HAVENS	MOLLER	ROBERTS	WILLIS
CLAPP	I. I. HAYES	MOOERS	SEARING	WINCH
J. M. CLARK	J. HAYES	MEYENBORG	SEWELL	WORTH
CONVERSE	HENRY	NEILSON		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message was received and read from the Governor in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *March 22, 1878.*

To the Legislature :

I have the honor to transmit herewith the Report of the Trustees of Sailors' Snug Harbor for the year 1877.

L. ROBINSON.

Ordered, That said report be laid upon the table and printed.

(See Doc No. 93.)

Mr. Speaker presented a communication from the board of education of the city of New York in reference to "An act providing for truant officers in the city of New York ;" which was laid upon the table and ordered printed.

(See Doc. No. 92.)

Mr. Speaker announced, as a committee of conference on the Senate bill entitled "An act to amend chapter 328 of the Laws of 1868, entitled 'An act to amend and continue in force an act entitled An act to incorporate an association for the relief of respectable aged indigent females in the city of New York,' passed March 10, 1815, and the acts continuing in force and amending the same," Messrs. Astor, Skinner, Clapp, McDonough and Willers.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon.

The Senate returned the bill entitled "An act making an appropriation to pay certain awards made by the Canal Appraisers, and to pay counsel employed in behalf of the State," with a message that they had concurred in the passage of the same, with the following amendments :

Insert, at the end of line 26, page 2, after the word "dollars," the following : "To pay Robert Worrall, or his legal representatives, the sum of two hundred and thirty-five dollars, for an amount awarded him by the Canal Appraisers, December twentieth, eighteen hundred and sixty-one."

Line 29, same page, strike out the word "two," and insert the word "twenty-three."

Same line, strike out the word "twenty-five," and insert the word "eighty-eight."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 1.

Those who voted in the affirmative, were

ANDREWS	CRAWFORD	HULME	NIVEN	SEWELL
ASTOR	CROWLEY	JONES	NORTH	SHELDON
BAKER	DALY	KEATOR	NOYES	SKINNER
BATHE	DEYOE	KEEGAN	PARKER	STRACK
BERGEN	DOUGLASS	LOVELAND	PATTENGILL	SUTHERLAND
BERRIGAN	FLOYD-JONES	MAPES	CICERO C. PECK	TERRY
BOUCK	FOSTER	MATTISON	DEWITT C. PECK	THOMSON
BROOKS	GALVIN	MCDONOUGH	PIPER	TOWNSLEY
BRUNDAGE	GILBERT	MEAD	POOL	VALENTINE
CHASE	GRIGGS	MEKEEL	PRESCOTT	WARING
CLANCY	HALLIDAY	J. H. MILLER	PROPER	WEMPLE
CLAPP	HAVENS	S. V. R. MILLER	PURDY	WILBOR
J. M. CLARK	I. I. HAYES	MOLLER	ROBERTS	WILLIAMS
CONVERSE	J. HAYES	MOORS	SEARING	WILLIS
CORMACK	HENRY	NEILSON	SEEBACHER	WORTH
COSAD	HOYT			

For the negative,

WILLERS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 624 of the Laws of 1874, entitled 'An act to amend the several acts incorporating the village of Oswego Falls,'" passed June 9, 1874, and to amend chapter 213 of the Laws of 1866, entitled "An act to incorporate the village of Oswego Falls, passed March 22, 1866."

"An act authorizing the town of New Lots, in the county of Kings, to issue bonds to the amount of ten thousand dollars, to refund or pay a like amount of bonds issued by said town, for the erection of a town house in pursuance of chapter 281 of the laws of 1872."

"An act to legalize the acts of Miles H. Bergen, as notary public."

"An act to establish the compensation of the county judge and the surrogate of Saratoga county, pursuant to the 15th section of the amended 6th article of the Constitution."

"An act in regard to the Union Free school, district No. 1, in the village of Fort Edward, and to authorize the board of education thereof to contract with the Fort Edward Collegiate Institute for the use of certain rooms in said institute for school purposes, and for the instruction of pupils therein."

"An act to reduce the number composing the board of education of Gowanda Union Free school, district No. 1, composed of parts of the towns of Persia and Perrysburgh, Cattaraugus county, and a part of the town of Collins, in Erie county."

"An act to protect the seaside boulevard and meadows adjacent thereto on the south side of Staten Island, and to prevent the same from being injured or overflowed by the waters of the bay of New York."

"An act to authorize the New York Protestant Episcopal public school to mortgage real estate in the Nineteenth ward of the city of New York."

"An act to amend an act entitled 'An act authorizing the trustees of the village of Ballston Spa to issue bonds to be known as 'extended water bonds,' to pay a portion of the water bonds now outstanding of

said village, maturing in the year 1877, being chapter 100 of the Laws of 1877.’”

Mr. Thompson moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

And whereupon, at 12 o'clock and 30 minutes, the House adjourned.

MONDAY, MARCH 25, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. J. McC. Blayney.

The journal of Friday, March 22, was read and approved.

Mr. Alvord in the chair.

Mr. Cormack introduced a bill entitled “An act to amend chapter 180 of the Laws of 1875, entitled ‘An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,’ which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Hobbie introduced a bill entitled “An act to amend the charter of the city of Rochester, and to change its boundaries,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented petitions on the same subject; which were read and referred to the same committee.

Mr. Strack introduced a bill entitled “An act to amend chapter 187 of the Laws of 1877, entitled ‘An act relative to summary proceedings to recover the possession of lands for non-payment of rent, and for holding over after expiration of term, in the city of New York,’ which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Piper introduced a bill entitled “An act to amend section 37 of title 1 of chapter 5, part 3 of the Revised Statutes,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brooks introduced a bill entitled “An act to amend chapter 721 of the Laws of 1871, entitled ‘An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,’” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Also, a bill entitled “An act to amend the charter of the village of Edgewater,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Terry introduced a bill entitled “An act to reappropriate certain moneys in the treasury of the State, heretofore appropriated for the improvement of the Champlain canal,” which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Noyes introduced a bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns in Cayuga county, and the city of Auburn, in the same county," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, said bill was ordered to a third reading.

Messrs. Curran, Hobbie, McDonough and Purdy presented petitions in favor of a modification of the excise laws; which were read and referred to the committee on internal affairs.

Mr. D. W. C. Peck presented a petition against a modification of the excise laws; which was read and referred to the committee on internal affairs.

Messrs. Converse, Wadsworth and Bergen presented petitions praying for the repeal of the code of civil procedure; which were read and referred to the committee on the judiciary.

Mr. Pattengill presented a petition of members of the bar of Otsego county, sustaining the Governor's veto of the code of civil procedure; which was read and ordered to be laid upon the table.

Mr. Wadsworth presented a petition of citizens of Livingston county for the passage of a law for the formation of mutual insurance companies; which was read and referred to the committee on insurance.

Mr. Wadsworth presented a petition of members of the Ancient Order of United Workmen for an amendment to their charter; which was read and referred to the committee on general laws.

Mr. Berry presented a petition of citizens of Sherburne for the passage of the bill ceding certain portions of the Chenango canal; which was read and referred to the committee on canals.

Mr. Wadsworth presented a petition of citizens of Livingston county for a modification of the assessment laws; which was read and referred to the committee on ways and means.

Mr. Peek presented a petition relative to the proposed act to vest certain lands in school district No. 4, in Johnstown; which was read and referred to the committee on ways and means.

Mr. I. I. Hayes presented a memorial relative to the insane asylums of the State; and, in connection with said memorial, and by unanimous consent, introduced a resolution in the words following:

Resolved, That a committee of five be appointed, with full power to send for persons and papers, to take testimony, and to employ counsel and such clerical force as shall become necessary, including a stenographer, to investigate the insane asylums in this State, and to report at their earliest convenience what legislation is necessary for the welfare of the inmates of those institutions.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Brooks offered, for the consideration of the House, a preamble and resolution in the words following:

Whereas, It is stated by the president of the Wine and Spirit Traders' Society of the city of New York, that sixty millions of dollars are expended each year in the bar-rooms of the city of New York, in some 8,000 inns, taverns and saloons; and

Whereas, A direct tax upon this enormous consumption of spirituous and malt liquors would result in adding several hundred thousand dollars, if not some millions of dollars, to the city treasury; and

Whereas, It is just and equitable that the consumers of alcoholic and other liquors should contribute largely and directly to the support of the government; be it, therefore,

Resolved, That the committee on cities be requested to examine and report upon the expediency of substituting, in the city of New York, what is known as the "Moffat law of Virginia," for the New York law of 1857, and all other laws regulating the sale of liquors; said Moffat law imposing a tax of two and one-half cents upon each alcoholic drink, and one-half cent upon each glass of ale, beer or porter, with a specific license to sell the same, and with the penalty of imprisonment or fine, or both, for each violation of the law, whether on the part of officials neglecting their duty, or on the part of persons licensed to register their sales; the chief objects of this inquiry being to reduce both the taxes and debt of the city of New York, and at the same time to promote the cause of temperance.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Speaker presented a communication from the Attorney-General, in response to a resolution of the Assembly relative to an opinion as to the constitutionality of the law creating a board of estimate and apportionment, and its rights to levy taxes; which was laid upon table and ordered printed.

(See Doc. No. 95.)

Mr. McDonough offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 114, entitled "An act to provide for the abatement of nuisances by boards of health of incorporated cities," which has been recommitted to the committee on public health, retain its original place on general orders, and that said committee report back such bill within six days.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Williams called from the table a preamble and resolutions previously offered by him, in the words following:

Whereas, There are now before Congress several bills seeking to provide for equity in rates of freights on property transported by common carriers in this country; therefore,

Resolved (if the Senate concur), That our Senators, and members of the House of Representatives, in Congress assembled, be and they are hereby requested to use their influence to secure the enactment of any wise and equitable law having for its object the prevention of violent and injurious fluctuations and unjust discrimination in rates of freight imposed by common carriers upon property transported by them in this country.

Resolved, That the Clerk of the Assembly be directed to transmit a copy of the foregoing preamble and resolution to each Senator and member of the House of Representatives from the State of New York.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolutions to the Senate, and request their concurrence therein.

Mr. Mekeel offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 236, G. O. No. 276, entitled "An act

to regulate the rate of foot passengers' ferriage across the East river, from the foot of East 34th street, New York city, and Borden avenue, Long Island City," be recommended to the committee on commerce and navigation, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

By unanimous consent,

Mr. Beard introduced a bill entitled "An act transferring a portion of the Chemung canal to the city of Elmira for street purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Speaker announced the order of business, general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act authorizing the construction of a railroad from Lake Champlain to Denuamora prison and the employment of convict labor thereon, and the management thereof."

"An act to amend chapter 37 of the Laws of 1848, entitled 'An act to authorize the formation of gas light companies.'"

"Concurrent resolutions proposing amendments to section 2, section 5 and section 6 of article 3 of the Constitution."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Noyes, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Noyes, from the same committee, also reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Thain moved that the committee of the whole be discharged from the further consideration of said named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Noyes, from the same committee, also reported progress on the above named concurrent resolutions, and asked and obtained leave to sit again.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act further to amend chapter 338 of the Laws of 1875, entitled 'An act to amend an act entitled An act for the relief of the surviving members of the First Regiment of New York Volunteers, who served in the war with Mexico.'"

Senate, "An act to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts.'"

"An act requiring the highway tax of the New York Central and Hudson River Railroad Company, through the town of Mentz, to be applied to the repairs of certain highways and bridges in said town."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Thomson, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Thomson, from the same committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered to a third reading.

Mr. Thomson, from the same committee, also reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

On motion of Mr. Moller, and at 10 o'clock and 20 minutes, the House adjourned.

TUESDAY, MARCH 26, 1878.

The House met pursuant to adjournment.

Prayer by Rev. J. McC. Blayney.

The journal of yesterday was read and approved.

Mr. Alvord in the chair.

Leave of absence was granted to Mr. Havens.

Mr. Speaker presented a communication from the Auditor of the Canal Department, in response to a resolution of the Assembly, adopted March 18, 1877, relative to individuals and corporations encroaching and trespassing upon the canal lands of the State; which was laid upon the table and ordered printed.

(See Doc. No. 96.)

Mr. Speaker presented the Annual Report of the Superintendent of the Banking Department, relative to savings banks; which was laid upon the table and ordered printed.

(See Doc. No. 89.)

By unanimous consent,

Mr. Halliday presented a petition in favor of a modification of the assessment laws; which was read and referred to the committee on ways and means.

By unanimous consent,

Also, a petition for the organization of mutual insurance companies; which was read and referred to the committee on insurance.

This being the day assigned, under the rule, for the consideration of general orders,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to extend the time for the completion of "An act to authorize the construction of a railroad from, at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East Greenbush, in the county of Rensselaer," passed May 14, 1875."

"An act regulating the term of office of supervisors in the county of Otsego."

"An act relating to the term of office of the supervisors of Albany county."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Reynolds, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Reynolds, from the same committee, also reported in favor of the passage of the last named bill, with amendments, and the title amended by adding after the word "of," the words "the counties of Albany and Rensselaer," which report was agreed to, and the same ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

Senate, "An act to release the interest of the people of the State of New York in and to all surplus moneys arising from the sale in mortgage foreclosure of certain real estate in the city of Albany, of which Joseph Kirk died seized, to John Kirk."

"An act relative to notices of suits in equity."

"An act to release the interest of the people of the State of New York in certain real estate in the town of Hempstead, in Queens county, to Richard Ingraham."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hoyt, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered to a third reading.

Mr. Hoyt, from the same committee, also reported in favor of the passage of the two last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to change the location of one of the bridges over the Champlain canal."

"An act in relation to the government of Long Island City."

"An act providing for truant officers in the city of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Cormack, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Cormack, from the same committee, also reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act in relation to the City Court of Yonkers."

"An act in relation to the local judiciary of Long Island City."

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, and the several acts amendatory thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Kellogg, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Moller moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Kellogg, from the same committee, also reported in favor of the passage of the two last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850."

Senate, "An act to repeal chapter 250 of the Laws of 1853, entitled

‘An act relating to incorporated banks, banking associations and individual bankers located in the city of New York.’”

“An act to amend section 19 of chapter 628 of the Laws of 1857, entitled ‘An act to suppress intemperance, and regulate the sale of intoxicating liquors so far as the same relates to the county of Ontario.’”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. McDonough, from said committee, reported in favor of the passage of the first named bill, with amendments, and the title amended by striking out the words “passed April 2, 1850,” which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. McDonough, from the same committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered to a third reading.

Mr. McDonough, from the same committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

“An act to enable the Cayadutta Plankroad Company, in the town of Johnstown, in the county of Fulton, to extend and continue its corporate existence.”

“An act in relation to infectious and contagious diseases of animals.”

“An act to regulate the rate of foot passenger ferriage across the East river, from the foot of East Thirty-fourth street, New York city, and Borden avenue, Long Island City.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Strack, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Strack, from the same committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Strack, from the same committee, also reported in favor of the passage of the last named bill, with amendments, and the title amended by striking out the word “from,” and inserting in lieu thereof the word “between,” which report was agreed to, and said bill ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

“An act to provide for the payment of expenses incurred in trials of convicts for crimes committed in the State prisons, and the management of such trials.”

“An act to provide for the collection and payment of the assessment for the improvement of a public highway or avenue from Prospect park, in the city of Brooklyn toward Coney Island, in the county of Kings, known as the Ocean parkway, laid out and improved pursuant to chapter 861 of the Laws of 1869, as amended by chapter 726 of the Laws of 1872.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wheeler, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Wheeler, from the same committee, also reported progress on the second named bill, and asked leave to sit again.

Mr. Thomson moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Brooks moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would grant leave to sit again, and it was determined in the affirmative.

Mr. Bergen moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Meyenborg moved to lay said motion upon the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Meyenborg, and it was determined in the affirmative.

On motion of Mr. Moller, and at 2 o'clock and 15 minutes, the House adjourned.

WEDNESDAY, MARCH 27, 1878.

The House met pursuant to adjournment.

Prayer by Rev. John W. Cooper.

The journal of yesterday was read and approved.

Mr. Noyes introduced a bill entitled "An act to repeal chapter 224 of the Laws of 1874, entitled 'An act to repeal chapter 440 of the Laws of 1873, entitled An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes,' so far as the same relates to the county of Cayuga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Daly introduced a bill entitled "An act to establish reading-rooms in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Thain introduced a bill entitled "An act to repeal chapter 165 of the Laws of 1877, entitled 'An act to authorize the trustees of the New York and Brooklyn bridge to change the site of a portion of Frankfort street, between Pearl and Jacob streets, in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Also, a bill entitled "An act to provide for the apportionment, assessment, and payment of the expenses of regulating, grading, paving, sewerage, and otherwise improving the streets and avenues in the city of New York, called and designated as the Eastern boulevard in and by chapter 528 of the Laws of 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Neilson introduced a bill entitled "An act to provide for the election of a police justice in the town of Waterford, county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Brundage introduced a bill entitled "An act to prohibit the taking of certain kinds of fish from the waters of Loon lake, in the county of Steuben," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Reynolds introduced a bill entitled "An act in relation to auctioneers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. J. H. Miller introduced a bill entitled "An act to amend chapter 907 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same, passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads,' passed May 18, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Valentine introduced a bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of Wayne county," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Valentine, and by unanimous consent, said bill was ordered to a third reading.

Mr. Keegan introduced a bill entitled "An act in relation to the government of Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Also, a bill entitled "An act to alter the map or plan of Long Island City, in respect to certain streets in the Third and Fourth wards thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Also, a bill entitled "An act for the better protection of inn-keepers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Seebacher introduced a bill entitled "An act in relation to the Central Park, North and East River Railroad Company, and to the Dry Dock, East Broadway and Battery Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Fitzgerald introduced a bill entitled "An act to reorganize the local government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Day, Int. No. 372, entitled "An act respecting the collection of taxes within the State of New York," offered the following resolution :

Resolved, That the committee on ways and means be discharged from the further consideration of this bill, and that the same be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, and said bill was so ordered.

Mr. Gilbert, from the committee on the judiciary, to which was recommit-

ted the bill introduced by Mr. Browning, Int. No. 141, entitled "An act to provide for the examination of persons in proceedings instituted by or on behalf of the municipal authorities, boards, and departments in the several cities of this State, pursuant to any statute or ordinance," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sewell, Int. No. 666, entitled "An act to facilitate the discharge of debtors imprisoned by virtue of executions in civil cases," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Palmer, Int. No. 572, entitled "An act to discharge chattel mortgages," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Seebacher, Int. No. 673, entitled "An act to amend section 33 of the Laws of 1878, entitled 'An act to amend chapter 516 of the Laws of 1867, entitled An act for the further protection of female employes in the city of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Piper, Int. No. 715, entitled "An act to amend section 7 of title 1 of chapter 5, part 1 of the Revised Statutes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Mattison Int. No. 334, entitled "An act to require incorporated companies and joint stock associations in this State to make annually an exhibit of the condition and business of such corporation or company," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Allen, Int. No. 279, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" reported adversely thereto, which report was agreed to.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Mattison, Int. No. 622, entitled "An act supplemental to chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Daly, Int. No. 609, entitled "An act relative to the finances and property of the city and county of New York, and the administration of the same," reported in favor of the passage of the same (Messrs. Holahan and Brooks, dissenting), which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Fish, said bill was recommitted to the committee on affairs of cities, retaining its place on general orders.

Mr. Fish, from the committee on affairs of cities, to which was referred

the bill introduced by Mr. I. I. Hayes, Int. No. 707, entitled "An act relating to the public place or square known as Washington park, in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. I. I. Hayes, Int. No. 619, entitled "An act to provide means for the equipment and furnishing of the building erected on that portion of the Central park, in the city of New York, east of the old receiving reservoir, under the provision of chapter 290, Laws of 1871, for the purposes of a museum and gallery of art for removing thereto and establishing therein the collection of the Metropolitan Museum of Art," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hobbie, Int. No. 713, entitled "An act to amend the charter of the city of Rochester and to change its boundaries," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fish, Int. No. 191, entitled "An act supplemental to chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the extension of the time for the collection of taxes in the several towns in Cayuga county, and the city of Auburn, in the same county."

"An act authorizing the construction of a railroad from Lake Champlain to Dannemora prison, and the employment of convict labor thereon and the management thereof."

The privileges of the floor were granted to the Hon. W. W. Niles, a former member of this House.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hoyt, Int. No. 512, entitled "An act to repeal chapter 418 of the Laws of 1870, entitled 'An act to provide for the payment of the board of vagrants committed to the almshouse of the city and town of Newburgh,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wheeler, from the committee on railroads, to which was referred the bill introduced by Mr. Allen, Int. No. 684, entitled "An act to amend chapter 103 of the Laws of 1877, entitled 'An act to facilitate the construction of narrow gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. St. John, Int. No. 86, entitled

"An act relative to the collection of taxes in the county of Sullivan," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Berrigan, Int. No. 274, entitled "An act to regulate the sale of ale, beer, lager-beer, and other fermented liquors," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Searing, Int. No. 632, entitled "An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes,' so far as the same relates to Ulster county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. King, from the committee on public health, to which was referred the Senate bill introduced by Mr. Harris, Int. No. 94, entitled "An act to regulate the election of permanent members of the Medical Society of the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wakely, from the committee on manufacture of salt, to which was referred the bill, introduced by Mr. Alvord, Int. No. 402, entitled "An act, to amend an act chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots in the Onondaga salt springs reservation by the Commissioners of the Land Office,' passed April 18, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Berry made a report from the sub-committee of the whole ; which was ordered to be laid upon the table and printed.

(See Doc. No. 97.)

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Foster, Int. No. 457, entitled "An act to amend chapter 509 of the Laws of 1873, and other acts regulating the sale of ales, wines, beers and intoxicating liquors," reported adversely thereto.

Mr. Foster moved to disagree with said report, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Story, Int. No. 94, entitled "An act to regulate the sale of distilled and fermented liquors and wines in certain cities in the State of New York," reported adversely thereto, which report was agreed to.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Langner, Int. No. 42, entitled "An act to amend chapter 549 of the Laws of 1873, entitled 'An act to amend an act entitled An act regulating the sale of intoxicating liquors,' passed April 11, 1870, and the act entitled 'An act to suppress intemperance

and to regulate the sale of intoxicating liquors,' passed April 16, 1857," reported adversely thereto.

Mr. Langner moved to disagree with the report of the committee, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Speaker announced, pursuant to ninth joint rule, order of business, third reading of bills.

The bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns in Cayuga county and the city of Auburn, in the same county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83. NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HOLBROOK	NOYES	STORY
ALLEN	CORMACK	HOYT	PARKER	STRACK
ALVORD	COSAD	HURD	PATTENGILL	J. T. TAYLOR
ANDREWS	CRAWFORD	JONES	PATTERSON	THOMSON
ASTOR	DEYOE	KEATOR	CICERO C. PECK	TOWNSLEY
RAKER	FISH	KELLOGG	DEWITT C. PECK	VALENTINE
BATHE	FITZGERALD	KING	PIPER	WADSWORTH
BEARD	FLOYD-JONES	LOVELAND	POOL	WAKELY
BERRIGAN	FLYNN	MAPES	ROBERTS	WARING
BERRY	GALVIN	MATTISON	ROWLAND	WEMPLE
BOUCK	GILBERT	MEKEEL	SAWYER	WHEELER
BROOKS	GRAHAM	J. H. MILLER	SEARING	WILBOR
BRUNDAGE	GRIGGS	MOLLER	SEEBACHER	WILLERS
CHASE	HAMILTON	MOOERS	SHEARD	WILLIAMS
CLANCY	HAVENS	NEILSON	SHELDON	WINCH
CLAPP	HOBBIE	NELSON	SKINNER	WORTH
J. CLARK	HOLAHAN	NORTH		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Brooks, and by unanimous consent, the Senate bill, entitled "An act in relation to the local judiciary of Long Island City," was substituted for Assembly bill, now on third reading, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82. NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HOLBROOK	NEILSON	SKINNER
ALVORD	CORMACK	HOYT	NELSON	STORY
ANDREWS	COSAD	HULME	PATTENGILL	STRACK
ASTOR	DALY	JONES	CICERO C. PECK	SUTHERLAND
BAKER	DEYOE	KEATOR	DEWITT C. PECK	J. T. TAYLOR
BATHE	FISH	KEEGAN	PEEK	THAIN
BEARD	FITZGERALD	KELLOGG	PIPER	THOMSON
BERRIGAN	FLOYD-JONES	KERN	POOL	VALENTINE
BERRY	FLYNN	KING	REYNOLDS	WADSWORTH

BOUCK	FOSTER	LOVELAND	ROBERTS	WARING
BROOKS	FRANK	LOWING	ROWLAND	WEMPLE
BRUNDAGE	GILBERT	MAPES	SAWYER	WHEELER
CASE	GRAHAM	MATTISON	SEARING	WILBOR
CHAPPELL	HAMILTON	MCDONOUGH	SEEBACHER	WILLERS
CHASE	HAVENS	MEKEEL	SHEARD	WILLIAMS
CLANCY	HOBBIE	MOOERS	SHELDON	WINCH
CLAPP	HOLAHAN			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

On motion of Mr. Mekeel, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to legalize the execution of a certain conveyance by the Kips Bay Methodist Episcopal Church of the city of New York," and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 91.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	KEEGAN	PATTENGILL	STRACK
ALLEN	DEYOE	KELLOGG	CICERO C. PECK	SUTHERLAND
ALVORD	FLOYD-JONES	KERN	DEWITT C. PECK	THAIN
ANDREWS	FLYNN	KING	PEEK	J. T. TAYLOR
ASTOR	FOSTER	LANGNER	PIPER	THOMSON
BAKER	FRANK	LOVELAND	POOL	TOWNSLEY
BATHE	GILBERT	LOWING	PROPER	VALENTINE
BEARD	HAMILTON	MAPES	REYNOLDS	WADSWORTH
BERRIGAN	HAVENS	MATTISON	ROBERTS	WAKELY
BERRY	I. I. HAYES	MCDONOUGH	ROWLAND	WARING
BOUCK	J. HAYES	MEKEEL	SEARING	WEMPLE
BROOKS	HEPBURN	MOOERS	SEEBACHER	WHEELER
BRUNDAGE	HOBBIE	MEYENBORG	SEWELL	WILBOR
CASE	HOLBROOK	NEILSON	SHEARD	WILLERS
CHAPPELL	HOYT	NELSON	SHELDON	WILLIAMS
CHASE	HULME	NORTH	SKINNER	WILLIS
CLAPP	JONES	NOYES	SLITER	WINCH
J. M. CLARK	KEATOR	PARKER	STORY	WORTH
CRAWFORD				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the journals of the Senate and Assembly," having been announced for a third reading,

On motion of Mr. Thain, and by unanimous consent, said bill was amended in the words following :

Substitute for existing section 4, engrossed bill, as follows :

"§ 4. Nothing in this act contained shall be so construed as to authorize or allow the printing or publishing of any proceedings of the Senate and Assembly which may require secrecy ; nor shall anything herein contained be construed to authorize the reading in evidence of proceedings from any printed volume of the journal of the Senate or Assembly published prior to the time when this act shall take effect, nor apply to any volume of the journals of the Senate or Assembly of any year prior to the year 1879, which may hereafter be republished by order of the Legislature ; but in all cases mentioned in this section, the original bills on file with the Secretary of State, and the certificates thereon shall be conclusive as to the facts stated in such bills and certificates."

Change section 4, engrossed bill, to section 5.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79. NOES 00.

Those who voted in the affirmative, were

ALVORD	DALY	KEATOR	PATTERSON	STORY
ANDREWS	FLOYD-JONES	KEEGAN	CICERO C. PECK	STRACK
ASTOR	FOSTER	KELLOGG	DEWITT C. PECK	SUTHERLAND
BEARD	GALVIN	KERN	PEEK	J. T. TAYLOR
BERRIGAN	GRAHAM	KING	PIPER	THAIN
BERRY	HALLIDAY	LANGNER	REYNOLDS	THOMSON
BOUCK	HAMILTON	LOVELAND	ROBERTS	TOWNSLEY
BROOKS	HAVENS	MATTISON	ROWLAND	VALENTINE
BROWNING	I. I. HAYES	MEKEEL	SAWYER	WADSWORTH
BRUNDAGE	HENRY	J. H. MILLER	SEARING	WAKELY
CASE	HOBBIE	MOOERS	SEEBACHER	WARING
CHAPPELL	HOLAHAN	NELSON	SEWELL	WEMPLE
CHASE	HOLBROOK	NORTH	SHEARD	WILBOR
CLAPP	HOYT	NOYES	SHELDON	WILLIS
CORMACK	HULME	PARKER	SKINNER	WINCH
COSAD	JONES	PATTENGILL	SLITER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of Sophia Dale, widow of James Alexander Gavin, late of the city of Brooklyn, county of Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 87. NOES 00.

Those who voted in the affirmative, were

ALVORD	CRAWFORD	HOLBROOK	NEILSON	SHELDON
ANDREWS	DEYOE	HOYT	NELSON	SKINNER
ASTOR	FISH	JONES	NORTH	SLITER
BATHE	FITZGERALD	KEATOR	NOYES	STORY
BERRIGAN	FLOYD-JONES	KEEGAN	PARKER	STRACK
BERRY	FOSTER	KELLOGG	PATTENGILL	SUTHERLAND
BOUCK	FRANK	KERN	PATTERSON	THAIN
BROOKS	GALVIN	KING	DEWITT C. PECK	THOMSON
BROWNING	GILBERT	LANGNER	PEEK	TOWNSLEY
BRUNDAGE	GRAHAM	LOVELAND	PIPER	VALENTINE
BURNS	HALLIDAY	LOWING	POOL	WAKELY
CASE	HAMILTON	MATTISON	REYNOLDS	WARING
CHAPPELL	HAVENS	MEKEEL	ROBERTS	WEMPLE
CHASE	I. I. HAYES	J. H. MILLER	ROWLAND	WHEELER
CLAPP	HENRY	S. V. R. MILLER	SAWYER	WILBOR
J. M. CLARK	HEPBURN	MOLLER	SEARING	WILLERS
CORMACK	HOBBIE	MEYENBORG	SEWELL	WINCH
COSAD	HOLAHAN			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act limiting the power of the board of education of the city of Oswego in the purchase of school sites and the erection of school-houses," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HOBBIE	NORTH	SHEARD
ALLEN	CONVERSE	HOLBROOK	NOYES	SHELDON
ANDREWS	CORMACK	HOYT	PARKER	SKINNER
ASTOR	COSAD	HULME	PATTENGILL	SLITER
BAKER	CRAWFORD	JONES	DEWITT C. PECK	SUTHERLAND
BATHE	DOUGLASS	KEATOR	PEEK	J. T. TAYLOR
BEARD	FITZGERALD	KEEGAN	PIPER	THAIN
BERGEN	FLOYD-JONES	KELLOGG	POOL	THOMSON
BERRIGAN	FOSTER	KERN	PROPER	TOWNSLEY
BERRY	FRANK	KING	REYNOLDS	WADSWORTH
BOUCK	GALVIN	LANGNER	ROBERTS	WAKELY
BROOKS	GILBERT	LOVELAND	ROWLAND	WEMPLE
BRUNDAGE	GRAHAM	LOWING	SAWYER	WILBOR
CASE	HALLIDAY	MATTISON	SEARING	WILLERS
CHAPPELL	HAMILTON	MCDONOUGH	SEEBACHER	WILLIS
CHASE	HAVENS	MEKEEL	SEWELL	WINCH
CLAPP	HEPBURN	MEYENBORG		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the Staten Island and New Jersey Suspension Bridge and Railroad Company to change its corporate name, and extending the time for the commencement of work by said corporation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOBBIE	MOOERS	SHELDON
ALLEN	CRANDALL	HOLBROOK	NELSON	SKINNER
ALVORD	CRAWFORD	HOYT	NORTH	SLITER
ANDREWS	DEYOE	HULME	NOYES	SUTHERLAND
ASTOR	FITZGERALD	JONES	PATTENGILL	J. T. TAYLOR
BATHE	FLOYD-JONES	KEATOR	DEWITT C. PECK	THAIN
BEARD	FLYNN	KEEGAN	PEEK	THOMSON
BERGEN	FOSTER	KELLOGG	PIPER	TOWNSLEY
BERRY	GALVIN	KING	POOL	VALENTINE
BOUCK	GILBERT	LANGNER	PROPER	WADSWORTH
BROOKS	GRAHAM	LOVELAND	ROBERTS	WAKELY
BRUNDAGE	GRIGGS	LOWING	ROWLAND	WARING
CASE	HALLIDAY	MATTISON	SAWYER	WEMPLE
CHAPPELL	HAMILTON	MEAD	SEARING	WILLERS
CHASE	HAVENS	MEKEEL	SEEBACHER	WILLIAMS
CLAPP	I. I. HAYES	J. H. MILLER	SHANLEY	WILLIS
J. M. CLARK	HEPBURN	MOLLER	SHEARD	WINCH
CORMACK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 800 of the Laws of 1869, entitled 'An act in relation to making and repairing highways and

bridges in the towns of Flatbush and New Utrecht, in Kings county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DEYOE	HULME	NOYES	SHELDON
ALLEN	FISH	JONES	PARKER	SKINNER
ALVORD	FITZGERALD	KEATOR	PATTENGILL	SLITER
ANDREWS	FLOYD-JONES	KEEGAN	PATTERSON	STORY
ASTOR	FLYNN	KING	DEWITT C. PECK	SUTHERLAND
BAKER	FOSTER	LANGNER	PEEK	J. T. TAYLOR
BEARD	GALVIN	LOVELAND	PIPER	THAIN
BERRIGAN	GILBERT	LOWING	POOL	THOMSON
BERRY	GRAHAM	MATTISON	REYNOLDS	VALENTINE
BOUCK	GRIGGS	MEKEEL	ROBERTS	WADSWORTH
BRUNDAGE	HALLIDAY	J. H. MILLER	ROWLAND	WAKELY
CASE	HAMILTON	S. V. R. MILLER	SAWYER	WARING
CHAPPELL	HAVENS	MOLLER	SEARING	WEMPLE
CHASE	HEPBURN	MOOERS	SEEBACHER	WILLIAMS
CLAPP	HOBBIE	MEYENBORG	SHANLEY	WILLIS
J. M. CLARK	HOLBROOK	NORTH	SHEARD	WINCH
CORMACK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

"An act to amend chapter 624 of the Laws of 1874, entitled 'An act to amend the several acts incorporating the village of Oswego Falls,' passed June 9, 1874, and to amend chapter 213 of the Laws of 1866, entitled 'An act to incorporate the village of Oswego Falls,' passed March 22, 1866," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HAVENS	J. H. MILLER	SKINNER
ALLEN	CORMACK	HENRY	MOLLER	SLITER
ALVORD	CRANDALL	HEPBURN	NELSON	STORY
ANDREWS	CRAWFORD	HOBBIE	NORTH	SUTHERLAND
ASTOR	DEYOE	HOLBROOK	NOYES	J. T. TAYLOR
BAKER	FISH	HOYT	PARKER	THOMSON
BEARD	FITZGERALD	HULME	PATTENGILL	TOWNSLEY
BERRIGAN	FLOYD-JONES	JONES	PEEK	WADSWORTH
BERRY	FLYNN	KEATOR	PIPER	WAKELY
BOUCK	FOSTER	KEEGAN	ROBERTS	WARING
BROWNING	GALVIN	KERN	ROWLAND	WEMPLE
BRUNDAGE	GILBERT	KING	SAWYER	WHEELER
CASE	GRAHAM	LANGNER	SEARING	WILBOR
CHAPPELL	GRIGGS	LOVELAND	SEEBACHER	WILLERS
CHASE	HALLIDAY	LOWING	SEWELL	WILLIS
CLAPP	HAMILTON	MEKEEL	SHANLEY	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act relating to certain indebtedness of the city of New York, and to provide for the payment and cancellation of the same."

"An act to authorize the board of education of Union Free school, district No. 2, of the town of Highlands, in the county of Orange, to raise money for the purchase of a school-house and site."

"An act further to amend chapter 338 of the Laws of 1875, entitled 'An act to amend an act entitled An act for the relief of the surviving members of the First regiment of New York volunteers who served in the war with Mexico.'"

"An act requiring the highway tax of the New York Central and Hudson River Railroad Company through the town of Mentz to be applied to the repairs of certain highways and bridges in said town."

"An act to extend the time for the completion of 'An act to authorize the construction of a railroad from at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East Greenbush, in the county of Rensselaer,' passed May 14, 1875."

"An act regulating the term of office of supervisors in the county of Otsego."

"An act relating to the term of office of the supervisors of Albany county."

"An act relative to notices of suits in equity."

"An act to release the interest of the People of the State of New York in certain real estate in the town of Hempstead, in Queens county, to Richard Ingraham."

"An act to change the location of one of the bridges over the Champlain canal."

"An act in relation to the government of Long Island City."

"An act providing for truant officers in the city of New York."

The bill entitled "An act authorizing the town of New Lots, in the county of Kings, to issue bonds to the amount of ten thousand dollars to refund or pay a like amount of bonds issued by said town for the erection of a town-house, in pursuance of chapter 281 of the Laws of 1872," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOYT	MOORS	SHELDON
ALLEN	DEYOE	HULME	MEYENBORG	SKINNER
ALVORD	FITZGERALD	JONES	NORTH	SLITER
ASTOR	FLOYD-JONES	KEATOR	PARKER	SUTHERLAND
BEARD	FOSTER	KEEGAN	PEEK	J. T. TAYLOR
BERGEN	GALVIN	KELLOGG	PIPER	THAIN
BERRIGAN	GILBERT	KING	POOL	THOMSON
BERRY	GRADY	LANGNER	PROPER	TOWNSLEY
BOUCK	GRAHAM	LOVELAND	REYNOLDS	VALENTINE
BROOKS	HALLIDAY	LOWING	ROBERTS	WADSWORTH
BRUNDAGE	HAMILTON	MAPES	ROWLAND	WAKELY
CASE	HAVENS	MATTISON	SAWYER	WARING
CHAPPELL	I. I. HAYES	MEAD	SEARING	WEMPLE
CHASE	HENRY	MEKEEL	SEEBACHER	WILLIAMS
CLAPP	HEPBURN	J. H. MILLER	SEWELL	WILLIS
J. M. CLARK	HOBBIE	MOLLER	SHEARD	WINCH
CORMACK	HOLBROOK			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the New York Protestant Episcopal public school to mortgage real estate in the Nineteenth ward of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HEPBURN	MEYENBORG	SUTHERLAND
ALLEN	J. M. CLARK	HOBBIE	NORTH	J. T. TAYLOR
ALVORD	CORMACK	HOLBROOK	PEEK	THAIN
ANDREWS	CRANDALL	HULME	POOL	THOMSON
ASTOR	DALY	JONES	PROPER	TOWNSLEY
BATHE	DOUGLASS	KEATOR	REYNOLDS	VALENTINE
BEARD	FLOYD-JONES	KELLOGG	ROBERTS	WADSWORTH
BERGEN	FLYNN	KING	ROWLAND	WAKELY
BERRIGAN	FOSTER	LANGNER	SEARING	WARING
BERRY	GALVIN	LOVELAND	SEEBACHER	WEMPLE
BOUCK	GILBERT	MAPES	SEWELL	WILBOR
BROOKS	GRADY	MATTISON	SHEARD	WILLIAMS
BRUNDAGE	GRAHAM	MEKEEL	SHELDON	WILLIS
CASE	HALLIDAY	J. H. MILLER	SKINNER	WINCH
CHAPPELL	HAMILTON	MOLLER	SLITER	WORTH
CHASE	HAVENS			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to reduce the number composing the board of education of Gowanda Union Free school, district No. 1, composed of parts of the towns of Persia and Perrysburgh, in Cattaraugus county, and of a part of the town of Collins, in Erie county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOLBROOK	NOYES	SKINNER
ALLEN	CRANDALL	HOYT	PARKER	SLITER
ALVORD	DALY	HULME	PATTERSON	SUTHERLAND
ANDREWS	DEYOE	JONES	DEWITT C. PECK	J. T. TAYLOR
ASTOR	FLOYD-JONES	KEATOR	PEEK	THAIN
BEARD	FOSTER	KELLOGG	PIPER	THOMSON
BERGEN	FRANK	KING	POOL	TOWNSLEY
BERRIGAN	GALVIN	LANGNER	PROPER	VALENTINE
BERRY	GILBERT	LOVELAND	REYNOLDS	WADSWORTH
BOUCK	GRADY	LOWING	ROBERTS	WAKELY
BROOKS	GRAHAM	MAPES	ROWLAND	WARING
BRUNDAGE	GRIGGS	MEAD	SAWYER	WEMPLE
CASE	HALLIDAY	MEKEEL	SEARING	WILBOR
CHAPPELL	HAMILTON	MOLLER	SEEBACHER	WILLERS
CHASE	HAVENS	MEYENBORG	SHEARD	WILLIAMS
CLAPP	HEPBURN	NEILSON	SHELDON	WILLIS
J. M. CLARK	HOBBIE	NORTH		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the acts of Miles H. Bergen as notary public," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOYT	NELSON	SLITER
ALLEN	DALY	HULME	NORTH	STORY
ALVORD	DEYOE	JONES	NOYES	SUTHERLAND
ANDREWS	FLOYD-JONES	KEEGAN	PARKER	J. T. TAYLOR
ASTOR	FOSTER	KELLOGG	DEWITT C. PECK	THAIN
BEARD	GALVIN	KING	PEEK	THOMSON
BERGEN	GILBERT	LANGNER	PIPER	TOWNSLEY
BERRIGAN	GRAHAM	LOVELAND	POOL	WADSWORTH
BERRY	GRIGGS	LOWING	PROPER	WAKELY
BOUCK	HALLIDAY	MAPES	REYNOLDS	WARING
BRUNDAGE	HAMILTON	MATTISON	ROBERTS	WEMPLE
CASE	HAVENS	MCDONOUGH	ROWLAND	WILBOR
CHAPPELL	I. I. HAYES	MEKEEL	SEARING	WILLERS
CHASE	HENRY	MOLLER	SHANLEY	WILLIAMS
CLAPP	HEPBURN	MOOERS	SHEARD	WILLIS
J. M. CLARK	HOBBIE	MEYENBORG	SKINNER	WORTH
CORMACK	HOLBROOK			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to establish the compensation of the county judge and the surrogate of Saratoga county, pursuant to the fifteenth section of the amended sixth article of the Constitution," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HEPBURN	MOLLER	THAIN
ALLEN	CORMACK	HOBBIE	MEYENBORG	THOMSON
ALVORD	COSAD	HOLBROOK	NEILSON	TOWNSLEY
ANDREWS	CRANDALL	HOYT	NORTH	VALENTINE
ASTOR	DEYOE	HULME	DEWITT C. PECK	WADSWORTH
BAKER	FITZGERALD	JONES	PIPER	WAKELY
BEARD	FLOYD-JONES	KEEGAN	POOL	WARING
BERGEN	FLYNN	KING	REYNOLDS	WEMPLE
BERRIGAN	FOSTER	LANGNER	ROBERTS	WHEELER
BERRY	GALVIN	LOVELAND	SAWYER	WILBOR
BOUCK	GILBERT	LOWING	SHEARD	WILLERS
BROOKS	GRAHAM	MAPES	SHELDON	WILLIAMS
BRUNDAGE	GRIGGS	MATTISON	SKINNER	WILLIS
CHAPPELL	HALLIDAY	MCDONOUGH	SLITER	WINCH
CHASE	HAMILTON	MEKEEL	SUTHERLAND	WORTH
CLAPP	HAVENS	J. H. MILLER	J. T. TAYLOR	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in regard to the Union Free school, district No. 1, in the village of Fort Edward, and to authorize the board of education thereof to contract with the Fort Edward Collegiate Institute for the use of certain rooms in said institute for school purposes, and for the instruction of pupils therein," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 70.

NOES 17.

Those who voted in the affirmative, were

ALLEN	J. M. CLARK	HENRY	NORTH	SKINNER
BAKER	CORMACK	HOBBIE	NOYES	SLITER
BATHE	CRANDALL	HOLBROOK	PATTERSON	STRACK
BERGEN	CRAWFORD	HULME	PEEK	SUTHERLAND
BERRIGAN	DALY	JONES	PIPER	THAIN
BERRY	DEYOE	KEATOR	PROPER	THOMSON
BROOKS	FLOYD-JONES	KEEGAN	REYNOLDS	TOWNSLEY
BROWNING	FLYNN	KELLOGG	ROBERTS	WADSWORTH
BRUNDAGE	FOSTER	LOWING	SAWYER	WARING
CASE	FRANK	MATTISON	SEEBACHER	WEMPLE
CHAPPELL	GALVIN	MCDONOUGH	SEWELL	WILBOR
CHASE	GRAHAM	MEKEEL	SHANLEY	WILLIS
CLAPP	I. I. HAYES	MOOERS	SHEARD	WINCH
J. CLARK	J. HAYES	NEILSON	SHELDON	WORTH

Those who voted in the negative, were

ABBOTT	BOUCK	KING	MAPES	POOL
ALVORD	HAVENS	LANGNER	PARKER	SEARING
ASTOR	HEPBURN	LOVELAND	DEWITT C. PECK	WILLERS
BEARD	HOYT			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Fitzgerald offered, for the consideration of the House, a resolution in the words following :

Resolved, That the bill entitled "An act to reorganize the local government of the city of New York," introduced March 27th, be printed.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to protect the Seaside boulevard and meadows adjacent thereto on the south shore of Staten Island, and to prevent the same from being injured or overflowed by the waters of the bay of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	J. HAYES	NEILSON	SHEARD
ALLEN	J. M. CLARK	HOBBIE	NORTH	SHELDON
ALVORD	CORMACK	HOLAHAN	NOYES	SKINNER
ANDREWS	COSAD	HOLBROOK	PARKER	STRACK
ASTOR	CRAWFORD	HOYT	PATTENGILL	SUTHERLAND
BAKER	DALY	JONES	PATTERSON	THAIN

BATHE	DAY	KEATOR	CICERO C. PECK	THOMSON
BEARD	DEYOE	KEEGAN	POOL	TOWNSLEY
BERGEN	FISH	KELLOGG	PROPER	WADSWORTH
BERRIGAN	FLOYD-JONES	KING	REYNOLDS	WARING
BERRY	FLYNN	LANGNER	ROBERTS	WEMPLE
BROOKS	GALVIN	LOWING	ROWLAND	WHEELER
BROWNING	GRAHAM	MCDONOUGH	SAWYER	WILBOR
BRUNDAGE	HAMILTON	MEKEEL	SEARING	WILLIS
CASE	HAVENS	MOOERS	SEEBACHER	WINCH
CHAPPELL	I. I. HAYES	MEYENBORG	SHANLEY	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act authorizing the trustees of the village of Ballston Spa to issue bonds to be known as 'extended water bonds' to pay a portion of the water bonds now outstanding of said village, maturing in the year 1877 and thereafter,' being chapter 100 of Laws of 1877," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HOBBIE	NOYES	SHEARD
ALLEN	J. M. CLARK	HOLAHAN	PARKER	SKINNER
ALVORD	CORMACK	HOLBROOK	PATTENGILL	STORY
ASTOR	COSAD	HOYT	PATTERSON	SUTHERLAND
BAKER	CRAWFORD	JONES	CICERO C. PECK	THAIN
BATHE	DALY	KEATOR	DEWITT C. PECK	THOMSON
BEARD	DEYOE	KELLOGG	PEEK	TOWNSLEY
BERGEN	FISH	KING	PIPER	VALENTINE
BERRIGAN	FITZGERALD	LANGNER	POOL	WADSWORTH
BERRY	FLOYD-JONES	LOVELAND	PROPER	WEMPLE
BROOKS	GALVIN	LOWING	ROBERTS	WHEELER
BROWNING	GRAHAM	MAPES	ROWLAND	WILBOR
BRUNDAGE	HAMILTON	MEKEEL	SAWYER	WILLERS
CASE	HAVENS	MOOERS	SEARING	WILLIS
CHASE	J. HAYES	NEILSON	SEEBACHER	WINCH
CLANCY	HEPBURN	NORTH		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act providing for truant officers in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	KEATOR	PATTENGILL	SLITER
ALLEN	DOUGLASS	KEEGAN	PATTERSON	STRACK
ALVORD	FISH	KELLOGG	CICERO C. PECK	SUTHERLAND
ANDREWS	FITZGERALD	KERN	DEWITT C. PECK	THAIN
ASTOR	FLOYD-JONES	LOVELAND	PEEK	THOMSON
BAKER	FLYNN	LOWING	PIPER	TOWNSLEY
BERRIGAN	FRANK	MAPES	POOL	VALENTINE
BROOKS	GALVIN	MATTISON	REYNOLDS	WADSWORTH

BRUNDAGE	GRAHAM	McDONOUGH	ROBERTS	WARING
CASE	HAMILTON	MEKEEL	ROWLAND	WEMPLE
CLANCY	HAVENS	MOLLER	SEARING	WILBOR
CLAPP	HEPBURN	MOOERS	SEEBACHER	WILLERS
J. M. CLARK	HOBBIE	NEILSON	SEWELL	WILLIS
CORMACK	HOLBROOK	NORTH	SHEARD	WINCH
COSAD	HOYT	NOYES	SHELDON	WORTH
CRAWFORD	JONES	PARKER	SKINNER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act authorizing and empowering the common council of the city of Rochester to construct lift, hoist or swing-bridges over the Erie canal, at Brown street and Smith street, in the city of Rochester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 75.

NOES 7.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HOBBIE	MEYENBORG	SKINNER
ALLEN	J. M. CLARK	HOLAHAN	NEILSON	STRACK
ALVORD	CONVERSE	HOLBROOK	NELSON	SUTHERLAND
ANDREWS	DALY	HOYT	NORTH	THAIN
ASTOR	DAY	JONES	NOYES	THOMSON
BATHE	DOUGLASS	KEEGAN	PATTENGILL	TOWNSLEY
BERGEN	FISH	KELLOGG	PATTERSON	VALENTINE
BERRIGAN	FITZGERALD	KING	PIPER	WADSWORTH
BERRY	FLOYD-JONES	LOVELAND	POOL	WARING
BROOKS	GALVIN	LOWING	ROBERTS	WEMPLE
BROWNING	GRAHAM	MAPES	ROWLAND	WILBOR
BRUNDAGE	HAMILTON	MATTISON	SAWYER	WILLIAMS
CASE	HAVENS	McDONOUGH	SEEBACHER	WILLIS
CHASE	HENRY	MEKEEL	SHEARD	WINCH
CLANCY	HEPBURN	MOOERS	SHELDON	WORTH

Those who voted in the negative, were

CORMACK	KEATOR	DEWITT C. PECK	REYNOLDS	SEWELL
DEYOE	CICERO C. PECK			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to extend the time for the completion of the railroad of the Black River and St. Lawrence Railway Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 80.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	COSAD	HULME	NEILSON	SEARING
ALLEN	DALY	HURD	NELSON	SEEBACHER
ALVORD	DAY	JONES	NORTH	SEWELL
ANDREWS	DEYOE	KEATOR	NOYES	SHEARD
ASTOR	DOUGLASS	KEEGAN	PARKER	SHELDON
BERGEN	FISH	KELLOGG	PATTENGILL	SKINNER
BERRIGAN	FLOYD-JONES	KING	PATTERSON	STRACK

BERRY	GILBERT	LANGNER	CICERO C. PECK	SUTHERLAND
BROOKS	GRAHAM	LOVELAND	DEWITT C. PECK	THOMSON
BROWNING	HAMILTON	LOWING	PIPER	TOWNSLEY
BRUNDAGE	HAVENS	MAPES	POOL	VALENTINE
CASE	HENRY	MATTISON	PROPER	WARING
CLANCY	HOBBS	MCDONOUGH	REYNOLDS	WEMPLE
J. M. CLARK	HOLAHAN	MEKEEL	ROBERTS	WILBOR
CONVERSE	HOLBROOK	MOLLER	ROWLAND	WILLERS
CORMACK	HOYT	MOOERS	SAWYER	WINCH

For the negative,

MEYENBORG

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to the local judiciary of Long Island City."

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, and the several acts amendatory thereof."

"An act to amend chapter 140 of the laws of 1850, entitled "An act to authorize the formation of railroad corporations, and to regulate the same," passed April 2, 1850."

"An act to amend section 19 of chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance, and regulate the sale of intoxicating liquors so far as the same relates to the county of Ontario.'"

"An act in relation to infectious and contagious diseases of animals."

"An act to regulate the rate of foot passenger ferriage across the East river, between the foot of East 34th street, New York city, and Borden avenue, Long Island City."

"An act to provide for the payment of expenses incurred in trials of convicts for crimes committed in the state prisons, and the management of such trials."

The bill entitled "An act to authorize the board of education of Union Free school, district No. 2, of the town of Highlands, in the county of Orange, to raise money for the purchase of a school-house and site," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DEYOE	JONES	NOYES	STRACK
ALLEN	DOUGLASS	KEATOR	PATTENGILL	SUTHERLAND
ALVORD	FISH	KEEGAN	PATTERSON	J. T. TAYLOR
BERGEN	FLOYD-JONES	KELLOGG	CICERO C. PECK	THAIN
BERRY	GALVIN	KING	DEWITT C. PECK	THOMSON
BROOKS	GILBERT	LOVELAND	PIPER	TOWNSLEY
BROWNING	GRAHAM	LOWING	POOL	VALENTINE
BRUNDAGE	HAMILTON	MAPES	REYNOLDS	WADSWORTH
CASE	HAVENS	MATTISON	ROBERTS	WARING
CLAPP	HENRY	MEKEEL	ROWLAND	WEMPLE
J. M. CLARK	HEPBURN	MOLLER	SAWYER	WHEELER
CONVERSE	HOBBS	MOOERS	SEEBACHER	WILBOR
CORMACK	HOLAHAN	MEYENBORG	SEWELL	WILLERS

CRAWFORD	HOLBROOK	NEILSON	SHEARD	WILLIS
DALY	HOYT	NELSON	SHELDON	WINCH
DAY	HULME	NORTH	SKINNER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relating to certain indebtedness of the city of New York, and to provide for the payment and cancellation of the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	JONES	NORTH	SLITER
ALVORD	CORMACK	KEATOR	NOYES	STRACK
ANDREWS	COSAD	KEEGAN	PARKER	SUTHERLAND
BAKER	DAY	KELLOGG	PATTENGILL	J. T. TAYLOR
BATHE	DEYOE	KERN	CICERO C. PECK	THAIN
BEARD	FISH	KING	DEWITT C. PECK	THOMSON
BERGEN	FLOYD-JONES	LOVELAND	PEEK	VALENTINE
BERRIGAN	GRAHAM	LOWING	PIPER	WADSWORTH
BERRY	HAMILTON	MATTISON	POOL	WAKELY
BROOKS	I. I. HAYES	MCDONOUGH	REYNOLDS	WARING
BROWNING	HEPBURN	MEKEEL	ROBERTS	WEMPLE
BRUNDAGE	HOBBIE	MOLLER	SEEBACHER	WHEELER
CHAPPELL	HOLAHAN	MOOERS	SEWELL	WILBOR
CHASE	HOLBROOK	MEYENBORG	SHEARD	WILLERS
CLAPP	HOYT	NEILSON	SHELDON	WILLIAMS
J. M. CLARK	HULME	NELSON	SKINNER	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act further to amend chapter 338 of the Laws of 1875, entitled 'An act to amend an act entitled An act for the relief of the surviving members of the First regiment of New York volunteers, who served in the war with Mexico,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOBBIE	NEILSON	SKINNER
ALLEN	CORMACK	HOLAHAN	NELSON	SLITER
ALVORD	CRAWFORD	HOLBROOK	NORTH	STRACK
ANDREWS	DAY	HULME	NOYES	SUTHERLAND
BAKER	DEYOE	HURD	PARKER	J. T. TAYLOR
BATHE	DOUGLASS	JONES	PATTENGILL	THAIN
BEARD	FISH	KEATOR	PATTERSON	THOMSON
BERGEN	FLOYD-JONES	KEEGAN	CICERO C. PECK	TOWNSLEY
BERRIGAN	FLYNN	KELLOGG	DEWITT C. PECK	VALENTINE
BERRY	FRANK	KERN	PEEK	WARING
BROOKS	GALVIN	KING	POOL	WEMPLE
BROWNING	GILBERT	LANGNER	REYNOLDS	WHEELER
BRUNDAGE	GRAHAM	MAPES	ROBERTS	WILBOR
BURNS	HAMILTON	MATTISON	SEEBACHER	WILLERS
CASE	HAVENS	MEKEEL	SEWELL	WILLIS

CHAPPELL	I. I. HAYES	MOLLER	SHANLEY	• WINCH
CLAPP	J. HAYES	MOOERS	SHEARD	WORTH
J. M. CLARK	HEPBURN	MEYENBORG	SHELDON	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act requiring the highway tax of the New York Central and Hudson River Railroad Company through the town of Mentz to be applied to the repairs of certain highways and bridges in said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 2

Those who voted in the affirmative, were

ABBOTT	COSAD	HOYT	NORTH	SHELDON
ALVORD	DAY	HULME	NOYES	SKINNER
ANDREWS	DEYOE	JONES	PALMER	SLITER
BAKER	DOUGLASS	KEATOR	PARKER	SUTHERLAND
BATHE	FISH	KEEGAN	PATTENGILL	J. T. TAYLOR
BEARD	FLOYD-JONES	KELLOGG	PATTERSON	THAIN
BERGEN	GALVIN	KERN	CICERO C. PECK	THOMSON
BERRY	GILBERT	LOWING	DEWITT C. PECK	TOWNSLEY
BROOKS	GRAHAM	MAPES	PEEK	VALENTINE
BRUNDAGE	GRIGGS	MATTISON	PIPER	WADSWORTH
CHAPPELL	HAMILTON	MCDONOUGH	POOL	WARING
CHASE	I. I. HAYES	MEKEEL	REYNOLDS	WEMPLE
CLANCY	HENRY	S. V. R. MILLER	ROBERTS	WILBOR
CLAPP	HEPBURN	MOLLER	ROWLAND	WILLERS
J. M. CLARK	HOBBIE	MOOERS	SEEBACHER	WILLIS
CONVERSE	HOLAHAN	MEYENBORG	SEWELL	WINCH
CORMACK	HOLBROOK	NELSON	SHEARD	

Those who voted in the negative, were

BERRIGAN	FRANK
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the resolution relative to the portrait of the late Chief-Justice Ambrose Spencer, with a message that they had concurred in the passage of the same.

The Senate returned the Senate bill entitled "An act to amend section 1, article 1, title 1, chapter 9 of part 3 of the Revised Statutes, entitled 'Of the writ of habeas corpus and certiorari in certain cases,' " with the following message :

STATE OF NEW YORK—IN SENATE, }
ALBANY, March 26, 1878. }

To the Assembly :

The bill entitled "An act to amend section 1, title 1, chapter 9, part 3 of the Revised Statutes, entitled 'Of the writ of habeas corpus and certiorari in certain cases,' " having been returned by the Governor to the Senate with the accompanying message, in writing, containing his objections thereto, the President thereupon put the question, "Shall this bill become a law, notwithstanding the objections of the Governor?" and it was decided in the affirmative, two-thirds of all the Senators elected voting in favor thereof. Said bill and message were ordered to be transmitted to the Assembly :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *March 19, 1878.* }

To the Senate :

I return, without approval, Senate bill No. 74, entitled "An act to amend section 1, article 1, title 1, chapter 9 of part 3 of the Revised Statutes, entitled 'Of the writ of habeas corpus and certiorari in certain cases.'"

The rule which prevents persons convicted of an infamous crime from testifying in courts of justice is as old as the foundations of our law. It was established in wisdom, and has been approved by experience. Its theory is that a person who has been found guilty of murder, robbery, arson, rape, false swearing and other atrocious crimes, is not worthy of belief, and that testimony thus born of infamy should not be heard to contradict the word of honest men, and that he who had criminally taken the life or the property of one citizen should not be allowed to swear away the rights of another. The disqualification of this law has long protected the rights of the innocent from the perjury of the guilty.

But among the many wise and well settled prescriptions of our law swept away by the thirteen chapters of the new Code of Procedure, which went into effect on the first of September last, this disability of the infamous was abrogated. Section 832 of the Code removes the disability, and places the convicts in all our prisons on the same level with the best men who are called as witnesses in the courts. Beside the purest of citizens the worst of felons may now demand that his testimony be taken in every court of justice. It is not pertinent that I should discuss this innovation further than to make clear the faults of the bill herewith returned. Under the section of the Revised Statutes which this bill proposes to amend, the courts have no power to take, on habeas corpus, from the walls of a prison a condemned felon during the term for which he has been sentenced, so that despite the section of the new Code which I have quoted, the courts have still no power, under the old statute, to take possession of a convict to secure his evidence. The present bill removes that disability of the courts. If it be made a law, every county and supreme court judge, every judge of any local court of record, may order any or all prisoners confined in prison, penitentiary or jail, under sentence of death for murder or arson, under sentence of life imprisonment for manslaughter, rape, perjury, robbery or other crime, to be taken from their cells to the remotest limits of the State, and there be held at pleasure of the court to testify in any trivial suit between two private parties for their own accommodation. I believe that this is not only unwise, but extremely wrong. The prisons and penitentiaries of our State contain over ten thousand convicts. At least one-half of these are persons whose liberty is dangerous. Many hundreds are under life sentences for the vilest and most brutal crimes. The effort to convey them on long journeys through all parts of the State will inevitably lead to many escapes, and will endanger the lives of those who have them in charge or such as may assist them. Yet by the terms of this bill, whenever an apparent case is made, the court is bound to order such a bringing of the felon as a witness. It may take the murderer from his cell the day before his execution. It may call any number of convicts from our prisons at once. It may subject the officers of our penal institutions to all the dangers of escapes, revolts, conflicts between convict and keeper, not within the secure walls of a prison, but in public places, highways and conveyances. At the best,

and even if this danger be avoided, the bringing of the vilest felons from their prison cells into court and on to the witness stand, and returning them again from the witness stand to the prison cell, cannot be regarded otherwise than as a pollution of the very temples of justice.

I can not imagine any necessity for such an extraordinary innovation. I have never known the due administration of justice to be impeded for the want of testimony from the prisons and penitentiaries. It is true that there are some persons in prison who ought not to be there, and who are not utterly vile and unworthy. In all such cases, where their testimony is absolutely necessary to prevent a failure of justice, the Governor has the power, and has uniformly exercised it, of granting a pardon with restoration to citizenship, which enables the witness to appear upon the stand under more favorable circumstances than would surround him if he were brought from prison into court to be taken thence to prison again. In my judgment, the efficiency and purity of the administration of justice in our courts will be best promoted by leaving the law in these respects as it has stood for ages.

L. ROBINSON.

On motion of Mr. Gilbert, and by unanimous consent, said bill and message were laid upon the table.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act in relation to the officers and medical staff of Willard Asylum for the insane."

"An act to amend chapter 971 of the laws of 1867, entitled 'An act for the incorporation of co-operative and industrial unions.'"

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled "An act to provide for the payment of bonds heretofore issued by the village of Middletown, in the county of Orange, and to create a sinking fund therefor," with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, line 14, after the word "laws" insert the word "of."

Section 2, line 7, after the word "of," strike out the words "not less than."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 92.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOLAHAN	MEYENBORG	SHANLEY
ALLEN	DALY	HOLBROOK	NEILSON	SHEARD
ALVORD	DEYOE	HOYT	NORTH	SHELDON
ANDREWS	FISH	HULME	NOYES	SKINNER
BAKER	FITZGERALD	HURD	PATTENGILL	SLITER
BEARD	FLOYD-JONES	JONES	PATTERSON	STORY
BERGEN	FOSTER	KEATOR	CICERO C. PECK	STRACK
BERRIGAN	FRANK	KEEGAN	DEWITT C. PECK	SUTHERLAND
BERRY	GALVIN	KELLOGG	PEEK	J. T. TAYLOR
BOUCK	GILBERT	KERN	PIPER	THAIN
BROOKS	GRAHAM	KING	POOL	THOMSON
BROWNING	GRIGGS	LOWING	PROPER	TOWNSLEY

BRUNDAGE	HALLIDAY	MAPES	REYNOLDS	VALENTINE
CHAPPELL	HAMILTON	MATTISON	ROBERTS	WADSWORTH
CHASE	HAVENS	MCDONOUGH	ROWLAND	WHEELER
J. M. CLARK	I. I. HAYES	MEKEEL	SAWYER	WILLERS
CONVERSE	HENRY	J. H. MILLER	SEARING	WILLIS
CORMACK	HEPBURN	MOOERS	SEWELL	WINCH
CRANDALL	HOBBIE			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate sent for concurrence the bills entitled as follows:

"An act in relation to the franchise and powers of the village of Athens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorize corporations formed for manufacturing, mining, mechanical or chemical purposes, to mortgage their property and franchises," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to further amend chapter 126 of the Laws of 1824, entitled 'An act to incorporate the Society for the reformation of juvenile delinquents in the city of New York,' passed March 29, 1824, as amended by chapter 241 of the Laws of 1860, passed April 10, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend chapter 680 of the Laws of 1872, entitled 'An act to amend an act entitled An act in relation to wills,' passed April 23, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 224 of the Laws of 1816, entitled "An act to vest certain powers in the freeholders and inhabitants of the village of Madison in the county of Madison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act for the relief of corporations formed under chapter 40 of the Laws of 1848, and acts amendatory thereof, in omitting to file either of the certificates required by the first section of said chapter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 150 of the Laws of 1837, entitled 'An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New York for safe keeping,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to release to Evan E. Roberts the right, title and interest of the people of the State of New York, in and to the real estate situate in the city of Utica, county of Oneida, of which Mary E. Roberts died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

The bill entitled "An act to extend the time for the completion of 'An act to authorize the construction of a railroad from at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East

Greenbush, in the county of Rensselaer,' passed May 14, 1875," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOYT	NORTH	SHANLEY
ALLEN	CRANDALL	HULME	NOYES	SHELDON
ALVORD	CRAWFORD	HURD	PATTENGILL	SKINNER
ANDREWS	DALY	JONES	PATTERSON	SLITER
RAKER	DEYOE	KEATOR	CICERO C. PECK	STRACK
BEARD	FISH	KEEGAN	DEWITT C. PECK	SUTHERLAND
BERGEN	FITZGERALD	KELLOGG	PEEK	J. T. TAYLOR
BERRIGAN	FLOYD-JONES	KERN	PIPER	THAIN
BERRY	FOSTER	KING	POOL	THOMSON
BOUCK	GALVIN	LOVELAND	PROPER	VALENTINE
BRUNDAGE	GRAHAM	LOWING	REYNOLDS	WEMPLE
CASE	HAMILTON	MATTISON	ROBERTS	WILBOR
CHAPPELL	HENRY	MEKEEL	ROWLAND	WILLERS
CHASE	HEPBURN	S. V. R. MILLER	SAWYER	WILLIS
CLAPP	HOBBIE	MOOERS	SEARING	WINCH
J. M. CLARK	HOLAHAN	NELSON	SEWELL	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord moved to lay this order of business (third reading of bills) upon the table, for the purpose of taking up order of business, general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to enable the Cayadutta Plankroad Company in the town of Johnstown, in the county of Fulton, to extend and continue its corporate existence."

"An act to amend section 1 of chapter 381 of the Laws of 1873, entitled 'An act for the preservation of fish in waters lying within or bordering upon the counties of Schuyler, Steuben, Chemung, Seneca, Yates, and Ontario.'"

"An act to incorporate the Black River Improvement Company."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Waring, from said committee, reported in favor of the passage of the first named bill, with amendments, and the title amended so as to read "An act to amend chapter 135, Laws of 1876, entitled 'An act to authorize plankroad and turnpike companies formed under and by virtue of an act entitled An act to provide for the incorporation of companies to construct plankroads, and of companies to construct turnpike roads,' passed May 7, 1847, to extend their charter or corporate existence," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Waring, from the same committee, also reported progress on the two last named bills, and asked and obtained leave to sit again.

Mr. Fish moved that the Assembly bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county

treasurers," be recommitted to the committee on affairs of cities, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act releasing the interest of the people of the State of New York in certain real estate to Christian Spiess."

"An act supplemental to chapter 421 of the Laws of 1877, entitled 'An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

"An act to provide for maintaining the solvency of life insurance companies, and protecting the rights of policyholders."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sawyer, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Sawyer, from the same committee, also reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

By unanimous consent,

Mr. Lowing introduced a bill entitled "An act to legalize the official acts and proceedings of Alanson King, Andrew Sheldon and Harvey Wellman as commissioners of excise of the town of Perry, Wyoming county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Strack, from the committee on privileges and elections, presented a minority report in relation to the contested seat of John Clark, in the words following:

To the Assembly:

The undersigned, a minority of the Committee on Privileges and Elections, to which was referred the petition of Charles H. Duell, claiming the seat now occupied by John Clark, respectfully report that they are unable to concur in the report made by the majority of said committee.

The petition of Mr. Duell made many charges of gross fraud and irregularity. It charged that the inspectors of election in the 24th election district were drunk, and did not honestly canvass the votes; and illegally transferred votes from one candidate to another; that in the 5th election district one vote was cast for John Clark by a person who voted on a registered name other than his own, and that a person who was registered and would have voted for Duell was improperly and wrongfully prevented from voting by the inspectors; that in the 16th election district the inspectors allowed John Clark a ballot from which his name had been erased; that in most of the election districts, and especially in twelve named, at least 60 votes were cast and counted for Clark by persons not lawfully naturalized, or who had obtained possession of false, forged, counterfeit and fraudulent certificates of naturalization.

Upon the hearing all these charges were abandoned except the charge that votes were cast and counted for Clark by persons not lawfully naturalized. There was no proof nor any pretense of any fraudulent voting, repeating, intimidation, false counting, or manipulation of returns.

There was no proof nor any pretense that any person voted who did

not believe himself entitled to vote or who had not the usual evidence of citizenship.

We start therefore with the undisputed proposition that the election and the count were in every respect fair and honest. The sole question is whether Mr. Clark should be unseated by reason of proof that any who voted for him were not legally naturalized. Upon this question we differ from the majority report, both as to the facts and as to the law.

First, as to the *facts*. It was proved that 114 men voted upon certificates of naturalization; of this number

Fifteen say they voted for Clark or think they did; eight say they voted for Duell or think they did; twenty-four say they voted the "Tammany Ticket"; thirty say they voted the "Republican" ticket; five say they voted the "Democratic" ticket; three say they voted the "Anti-Tammany" ticket; twenty-nine say they cannot tell how they voted.

It must be remembered that Clark was the "Tammany" candidate, and that Duell was not only the Republican candidate but also the "Anti-Tammany" candidate, and that votes cast for the democratic ticket were not necessarily cast for John Clark.

The evidence therefore entirely fails to support the statement in the majority report that of naturalized voters, "sixty-four voted for the sitting member, twenty-four for the contestant." It shows nothing which should unseat Clark even though it were conceded that the 114 were not legal voters.

Second, as to the *law*. The undersigned cannot assent to the position taken by the majority. It is in the judgment of the undersigned at war with the decisions of the courts as well as with common sense and common honesty. In regard to the men who voted on certificates of naturalization, it is undisputed that all but two actually went to court, made the application in good faith, were entitled to naturalization, and in good faith received certificates of naturalization. The two who did not go to court but obtained their papers through "a friend," voted for *Duell*. They all took the oath of allegiance and renunciation. Every one of them had in his possession a certificate under the seal of a court of record, reciting that he had appeared in court and applied to it to be admitted as a citizen, and that "thereupon it was ordered by the said court that the said applicant be admitted, and he was accordingly admitted by the said court to be a citizen of the United States." This certificate each man had voted on without objection for ten years.

The majority report would disfranchise these men on two alleged grounds. 1. That there were irregularities in the proceedings before the court. 2. That there was no formal judgment or record.

But it has been repeatedly decided by the Supreme Court of the United States and by all the courts of this State, that a certificate of naturalization cannot be impeached on such grounds. In each case there was an application to the court, evidence was taken before the court, the court decided the applicant to be entitled to naturalization, and thereupon the oath of allegiance, etc., was administered to the applicant, and a certificate issued. The written evidence of this, in addition to the certificate issued, was in the Superior court, the affixing of the initials of the judge to the application; in the Supreme court, a formal order. It was held by the Supreme Court of the United States in 1810 that "the oath, when taken, confers upon the applicant the rights of a citizen, and

amounts to a judgment of the court for his admission to those rights." *Campbell v. Gordon*, 6 Cranch, 176.

This case was decided under the law of 1795, but its provisions did not, in this respect, differ from those of the law of 1802, which was in force in 1868, and it has been uniformly followed and approved by every court in every State which has passed upon the question. It would be hard indeed if a man entitled to citizenship, who applied to a competent court, was there examined, was admitted to take the oath, and received his certificate, could be disfranchised ten years afterwards by reason of the neglect of the clerk of the court to keep his records in proper shape. The record of a judgment is not the judgment itself. This was held by the Supreme Court of the United States in the case above cited. The record is only *evidence* of the judgment. In case of its absence by reason of loss or otherwise, the judgment may be proved by other evidence. The majority rely upon the decisions in *Van Wyck v. Green*, in the Forty-first Congress, and of *McLeod v. Halpine*, in the Assembly of 1869. In fact, both these decisions were based upon alleged evidence of fraud. Both were extremely partisan decisions. The writer of the opinion in the *Van Wyck* case (Butler of Tennessee) was afterwards convicted of selling cadetships, and unanimously censured by the House. The undersigned cannot believe that this Assembly will, upon such authority, reverse the decisions of all the courts in the country and permit the right of citizenship, once acquired in good faith, to be overturned upon such flimsy pretexts.

Another consideration which your committee deem of great importance is, that not a particle of evidence was offered to prove, nor indeed was it at any time alleged, that any effort was made by the sitting member to secure the naturalization or the vote of any of these pretended illegal voters. They exercised their right to vote according to their own judgment, and your committee believe that on election day the contestant would have been very willing to have had every one of these so-called illegal votes cast for him, notwithstanding the manner of the naturalization, and would have then ridiculed the idea that, for reasons now urged by him, they were not entitled to vote.

We therefore respectfully recommend the adoption of the following resolution :

Resolved, That John Clark was duly elected member of Assembly from the 13th Assembly district of the city of New York, at the election held therein on the 6th day of November, 1877, and that he is entitled to retain the seat which he now occupies.

All of which is respectfully submitted.

Dated *March 27*, 1878.

S. B. PIPER,
JOSEPH P. STRACK.

On motion of Mr. Strack, and by unanimous consent, said report was ordered to be printed.

By unanimous consent,

Mr. Graham introduced a bill entitled "An act supplemental to chapter 225 of the Laws of 1875, extending the time for the completion of the New York and New England railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Sheard introduced a bill to amend section 28, chapter 482 of the Laws of 1875, entitled "An act to confer on boards of supervisors further

powers of local legislation and administration, and to regulate the compensation of supervisors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent,

Mr. Neilson introduced a bill entitled "An act to amend an act passed January 18, 1832, entitled 'An act to revive and amend the act entitled 'An act to authorize the building of a toll bridge over the Hudson river, passed April 2, 1825,' and the act amendatory thereof, passed May 2, 1829," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Graham introduced a bill entitled "An act to amend an act entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,' being chapter 431 of the Laws of 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Hurd introduced a bill entitled "An act to provide for the measurement of water in cities and incorporated villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

On motion of Mr. Valentine, and by unanimous consent, the bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of Wayne county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 77.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	COSAD	HENRY	MOLLER	SKINNER
ALLEN	CRANDALL	HEPBURN	MOOERS	STRACK
ALVORD	CRAWFORD	HOBBIE	NORTH	J. T. TAYLOR
BEARD	DALY	HOLAHAN	NOYES	THAIN
BERGEN	DAY	HOYT	PATTENGILL	THOMSON
BERRIGAN	DEYOE	HURD	CICERO C. PECK	TOWNSLEY
BERRY	FISH	JONES	DEWITT C. PECK	VALENTINE
BROOKS	FITZGERALD	KELLOGG	PIPER	WARING
BROWNING	FLOYD-JONES	KERN	POOL	WEMPLE
BRUNDAGE	FOSTER	KING	ROBERTS	WILBOR
CASE	GALVIN	LOWING	ROWLAND	WILLERS
CHAPPELL	GRAHAM	MAPES	SEARING	WILLIAMS
CHASE	GRIGGS	MEAD	SHANLEY	WILLIS
CLAPP	HAMILTON	J. H. MILLER	SHEARD	WINCH
J. M. CLARK	HAVENS	S. V. R. MILLER	SHELDON	WORTH
CORMACK	I. I. HAYES			

For the negative,

LANGNER

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Speaker and Clerk, with the consent of the House, referred the following bills to the sub-committee of the whole:

Senate, G. O. 352, No. 93, "An act to amend section 21 of article 3, title 3, chapter 6, part 1, of the Revised Statutes."

Senate, G. O. 366, No. 95, "An act for the protection of dairymen and dealers in milk, and to prevent deception in the sale of milk."

Senate, G. O. 123, No. 11, "An act to amend chapter 449 of the Laws of 1876, entitled "An act explaining, defining and regulating the effect and application of, and otherwise relating to, the act passed at this session of the legislature, entitled 'An act relating to courts, officers of justice and civil proceedings.'"

G. O. 348, No. 306, "An act in addition to an act entitled "An act relating to the Union cemetery in the town of Bushwick, county of Kings, passed April 12, 1853."

G. O. 350, No. 308, "An act to authorize the maps and surveys of the commissioners appointed by the President of the United States, in pursuance of an act of Congress, approved February 19, 1875, to survey, locate and establish proper boundaries and limits of the villages of Vandalia, Carrollton, Great Valley, Salamanca, West Salamanca and Red House, to be received in evidence, and for other purposes."

G. O. 351, No. 309, "An act for the protection of life, and to prevent accidents by vessels navigating the port and harbor of New York, and waters adjacent thereto."

G. O. 346, No. 301, "An act to amend an 'Act relative to the construction of sewers in a certain district in the city of Brooklyn, and providing for laying an assessment for sewers in said district,' passed June 21, 1875."

G. O. 344, No. 299, "An act in relation to the regrading and paving of Grand street from Union avenue to Bushwick avenue, in the city of Brooklyn, with Belgian pavement."

G. O. 343, No. 298, "An act to authorize the city of Brooklyn to pay to John McCloskey the proper cost of a certain temporary sewer or drain in Hicks street connecting with Hamilton avenue sewer, constructed by said McCloskey under a resolution of award of the common council of said city, passed October 25, 1869."

G. O. 341, No. 296, "An act for the relief of Port Byron Free school district, in the town of Mentz, in the county of Cayuga."

G. O. 338, No. 293, "An act to repeal an act entitled 'An act to create a metropolitan sanitary district and a board of health therein, for the preservation of life and health and to prevent the spread of disease,' passed February 26, 1866, so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town, and defining its powers and duties."

G. O. 334, No. 289, "An act to secure the better application of funds to relieve the poor in the town of Plattsburgh, in the county of Clinton."

G. O. 333, No. 288, "An act to repeal chapter 305 of the Laws of 1871, entitled 'An act providing for the disposal of excise moneys in the county of Niagara.'"

G. O. 313, No. 268, "An act to amend chapter 786 of the Laws of 1867, entitled 'An act to incorporate the village of Lima, Livingston county.'"

G. O. 312, No. 267, "An act conferring additional powers upon the board of trustees of the village of Havana, county of Schuyler."

G. O. 311, No. 266, "An act to amend chapter 118 of the Laws of 1873, entitled 'An act to provide for the construction and improvement of the road from Piseco lake to Claffin's tannery, in the county of Hamilton.'"

G. O. 309, No. 264, "An act for the incorporation of district No. 1, of

the Independent Order of Benai Berith, and to authorize other corporations, incorporated societies or other associations to give and transfer property to, or wholly to consolidate with the corporation hereby created."

G. O. 308, No. 263, "An act to confer additional powers upon corporations organized under chapter 438, Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing,' and the several acts amendatory thereof."

G. O. 317, No. 271, "An act authorizing the courts of oyer and terminer and the courts of sessions of the county of Saratoga to direct payment of clerk hire in certain cases."

G. O. 306, No. 261, "An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

G. O. 321, No. 275, "An act to repeal chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the drainage of swamps, marshes, and other low or wet lands, and for draining lands.' Also, chapter 303 of the Laws of 1871, entitled 'An act to amend an act entitled An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the draining of swamps, marshes and other low or wet lands, and for draining farm lands.'"

G. O. 326, No. 281, "An act to amend chapter 42 of the Laws of 1856, entitled 'An act to incorporate the College of Pharmacy of the city of New York,' passed March 20, 1856."

G. O. 272, No. 233, "An act providing for reports of births, marriages and deaths, the registry of vital statistics, and the regulation of interments."

G. O. 37, No. 30, "An act to exempt the county of Wayne from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their powers and duties.'"

G. O. 259, No. 224, "An act to amend chapter 373 of the Laws of 1866, entitled 'An act to authorize any town in the counties of Columbia or Rensselaer to aid in the completion of the Lebanon Springs railroad.'"

G. O. 322, No. 277, "An act to amend the act passed April 3, 1867, chapter 248, entitled 'An act to amend the act passed April 11, 1860, chapter 269, entitled An act to amend the act entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical and chemical purposes,' passed February 17, 1848."

Senate, G. O. 307, No. 83, "An act to confer on the board of supervisors of Chautauqua county authority to protect ducks and fish in all waters within the territorial jurisdiction of said county."

Mr. Hayes moved to reconsider the vote by which the adverse report of the committee on canals was agreed to, relative to Assembly bill entitled "An act relating to the disposition of the prism and banks of the Crooked Lake canal," and that said bill be recommitted to the committee on canals.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish offered, for the consideration of the House, a preamble and resolution in the words following :

Whereas, There is a great delay in the placing of bills on the files after they have been reported by the committees of the House ; therefore,

Resolved, That the committee on public printing be directed to inquire

into the matter, and report to the House what steps are necessary to expedite the printing of the bills after they have been reported to the House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker presented a memorial of Samuel B. Ruggles in respect to the social and fiscal importance of open squares in the city of New York ; which was laid upon the table and ordered printed.

(See Doc. No. 99.)

Messrs. Skinner, Burns, Holbrook, Browning, Hobbie, Langner and Moller presented petitions in favor of a modification of the excise laws ; which were read and referred to the committee on internal affairs.

Mr. Skinner presented a petition against a modification of the excise laws ; which was read and referred to the committee on internal affairs.

Mr. Sutherland presented petitions of citizens of Corning for the repeal of the law for the relief of the Corning Library ; which were read and referred to the committee on ways and means.

Mr. Waring presented a petition of tax-payers of Brooklyn for the passage of a bill providing for the better administration of the public charities of the county of Kings ; which was read and referred to the committee of the whole.

Messrs. Hoyt and Graham presented petitions for the passage of a law for the formation of mutual insurance companies ; which were read and referred to the committee on insurance.

Messrs. Graham and Sheard presented petitions for a modification of the assessment laws ; which were read and referred to the committee on ways and means.

Mr. Graham presented a petition of citizens of Orange county for an appropriation to improve the bed of the Walkill river ; which was read and referred to the committee on ways and means.

Mr. Day presented a petition of citizens of Buffalo in relation to the fares charged on the street railroads of the city of Buffalo ; which was laid upon the table.

Mr. Allen presented a petition of members of the Ancient Order of United Workmen for an amendment to their charter ; which was read and referred to the committee on general laws.

Mr. Hoyt presented a petition of citizens of Orange county, in favor of a board of railway commissioners ; which was read and referred to the committee on railroads.

Mr. Day presented a petition of the common council of Buffalo, in favor of the passage of the free pipe line bill ; which was read and referred to the committee on the judiciary.

On motion of Mr. Alvord, and at 1 o'clock and 40 minutes, the House adjourned.

THURSDAY, MARCH 28, 1878.

The House met pursuant to adjournment.

Prayer by Rev. John W. Cooper.

The journal of yesterday was read and approved.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to establish the exterior bulk-head and pier-lines of the harbor of New York on the Staten Island side."

"An act making an appropriation to pay certain awards made by the Canal Appraisers, and to pay counsel employed in behalf of the State."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Speaker announced, pursuant to the ninth joint rule, order of business, third reading of bills.

The bill entitled "An act in relation to the commissioner of jurors in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 15. NOES 43.

Those who voted in the affirmative, were

ALVORD	BROOKS	CONVERSE	GALVIN	TOWNSLEY
BERGEN	BRUNDAGE	CURRAN	SEEBACHER	VALENTINE
BERRIGAN	CLANCY	FOSTER	THOMSON	WILLERS

Those who voted in the negative, were

ASTOR	HAVENS	MAPES	PEEK	SUTHERLAND
BEARD	HOBBIE	MATTISON	REYNOLDS	TERRY
BROWNING	HOYT	MEKEEL	ROBERTS	WADSWORTH
CHASE	JONES	MOLLER	ROWLAND	WHEELER
CORMACK	KEATOR	MOOERS	SAWYER	WILBOR
CRANDALL	KING	NOYES	SEWELL	WILLIAMS
FISH	LANGNER	PARKER	SHELDON	WILLIS
GRAHAM	LOVELAND	PATTENGILL	SKINNER	WINCH
GRIGGS	LOWING	DEWITT C. PECK		

Mr. Fish moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

The Senate bill entitled "An act to amend chapter 820 of the Laws of 1857, entitled 'An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 59. NOES 2.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HAVENS	MOOERS	SHELDON
ALLEN	CORMACK	HOYT	NOYES	SKINNER
ALVORD	CRANDALL	HULME	PATTENGILL	SUTHERLAND
ANDREWS	CURRAN	JONES	CICERO C. PECK	TERRY
ASTOR	DEYOE	KEATOR	DEWITT C. PECK	THAIN
BERRY	FISH	KEEGAN	PEEK	TOWNSLEY
BROOKS	FLOYD-JONES	KELLOGG	PIPER	WADSWORTH
BROWNING	FOSTER	KERN	PURDY	WAKELY
CASE	GILBERT	KING	ROBERTS	WHEELER
CHASE	GRAHAM	LOWING	SAWYER	WILLERS
CLAPP	GRIGGS	MEKEEL	SEEBACHER	WILLIS
J. M. CLARK	HALLIDAY	MOLLER	SEWELL	

Those who voted in the negative, were

CLANCY	THOMSON
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The Senate bill entitled "An act requiring justices of the peace to give bonds," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 75.

NOES 5.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HURD	MEYENBORG	SHANLEY
ALLEN	CORMACK	JONES	NEILSON	SHEARD
ALVORD	CRANDALL	KEATOR	NOYES	SHELDON
ANDREWS	CURRAN	KEEGAN	PATTENGILL	SKINNER
ASTOR	DEYOE	KELLOGG	CICERO C. PECK	SUTHERLAND
BEARD	FISH	KING	PEEK	TERRY
BERRIGAN	FLOYD-JONES	LANGNER	PIPER	TOWNSLEY
BERRY	FLYNN	LOVELAND	POOL	VALENTINE
BOUCK	FOSTER	LOWING	PURDY	WADSWORTH
BROOKS	GALVIN	MAPES	REYNOLDS	WAKELY
BROWNING	GRIGGS	MATTISON	ROBERTS	WARING
BRUNDAGE	HAVENS	MCDONOUGH	ROWLAND	WILBOR
CHASE	HOBBIE	MEKEEL	SAWYER	WILLERS
CLANCY	HOLAHAN	MOLLER	SEEBACHER	WILLIAMS
CLAPP	HOYT	MOOERS	SEWELL	WINCH

Those who voted in the negative, were

BURNS	HEPBURN	HULME	DEWITT C. PECK	THOMSON
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Roberts moved to reconsider the vote by which the Senate bill entitled "An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,'" was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

The Senate bill entitled "An act to authorize the merging of corporations organized under the act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853, and of the acts amending or extending the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 60.

NOES 13.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	JONES	NOYES	SUTHERLAND
ALLEN	CORMACK	KEEGAN	PARKER	TERRY
ANDREWS	FISH	KELLOGG	PATTENGILL	THAIN
BAKER	FLOYD-JONES	KERN	DEWITT C. PECK	THOMSON
BATHE	GILBERT	KING	PEEK	TOWNSLEY
BERGEN	GRAHAM	LANGNER	PIPER	VALENTINE
BERRIGAN	GRIGGS	LOWING	POOL	WADSWORTH
BROOKS	HALLIDAY	MCDONOUGH	ROBERTS	WARING
CHAPPELL	HAMILTON	J. H. MILLER	SAWYER	WILBOR
CHASE	HAVENS	S. V. R. MILLER	SEEBACHER	WILLIAMS
CLANCY	J. HAYES	MOOERS	SHELDON	WILLIS
CLAPP	HULME	MEYENBORG	SKINNER	WINCH

Those who voted in the negative, were

ALVORD	J. M. CLARK	GALVIN	KEATOR	MOLLER
BEARD	CRANDALL	HOBBIE	MAPES	CICERO C. PECK
BRUNDAGE	CURRAN	HOYT		

Mr. Brooks moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

Mr. Brooks moved to take said bill from the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Brooks then moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 89.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	I. I. HAYES	MOLLER	SEEBACHER
ALLEN	CONVERSE	J. HAYES	MOOERS	SEWELL
ALVORD	CORMACK	HENRY	MEYENBORG	SHEARD
ANDREWS	COSAD	HEPBURN	NEILSON	SHELDON
ASTOR	CRANDALL	HOYT	NOYES	SKINNER
BAKER	CRAWFORD	HULME	PATTENGILL	STRACK
BATHE	CURRAN	JONES	PATTERSON	THAIN
BERGEN	DALY	KEATOR	CICERO C. PECK	THOMSON
BERRIGAN	DEYOE	KEEGAN	DEWITT C. PECK	TOWNSLEY
BERRY	FISH	KELLOGG	PEEK	VALENTINE
BROOKS	FLOYD-JONES	KING	PIPER	WADSWORTH
BROWNING	FOSTER	LANGNER	POOL	WARING
CASE	GALVIN	LOVELAND	PROPER	WILBOR
CHAPPELL	GRAHAM	LOWING	PURDY	WILLERS
CHASE	GRIGGS	MAPES	ROBERTS	WILLIAMS
CLANCY	HALLIDAY	MATTISON	ROWLAND	WILLIS
CLAPP	HAMILTON	MCDONOUGH	SAWYER	WINCH
J. CLARK	HAVENS	MEKEEL	SEARING	

For the negative,

BEARD

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 91.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HEPBURN	J. H. MILLER	SAWYER
ALLEN	CORMACK	HOBBIE	S. V. R. MILLER	SEARING
ALVORD	COSAD	HOLBROOK	MOOERS	SEEBACHER
ANDREWS	CRANDALL	HOYT	MEYENBORG	SEWELL
ASTOR	CRAWFORD	HULME	NEILSON	SHEARD
BAKER	CROWLEY	HURD	NORTH	SHELDON
BATHE	DALY	JONES	NOYES	SKINNER
BERGEN	DEYOE	KEATOR	PATTENGILL	SUTHERLAD
BERRIGAN	FISH	KEEGAN	PATTERSON	J. T. TAYLOR
BROOKS	FITZGERALD	KELLOGG	CICERO C. PECK	TERRY
BRUNDAGE	FLOYD-JONES	KERN	DEWITT C. PECK	THAIN

BURNS	FOSTER	KING	PEEK	THOMSON
CASE	GALVIN	LANGNER	PIPER	TOWNSLEY
CHAPPELL	GRADY	LOVELAND	POOL	WHEELER
CHASE	GRIGGS	LOWING	PROPER	WILBOR
CLANCY	HAMILTON	MAPES	REYNOLDS	WILLIAMS
CLAPP	HAVENS	MATTISON	ROBERTS	WILLIS
J. CLARK	HENRY	MCDONOUGH	ROWLAND	WINCH
J. M. CLARK				

Those who voted in the negative, were

CURRAN WILLERS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Valentine moved to take from the table the motion to reconsider the vote by which the Senate bill entitled "An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,'" was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82. NOES 3.

Those who voted in the affirmative, were

ALLEN	CRANDALL	HOBBIE	MOOERS	SHELDON
ALVORD	CRAWFORD	HOLAHAN	NEILSON	SKINNER
ANDREWS	CROWLEY	HOYT	NORTH	STORY
ASTOR	CURRAN	HULME	NOYES	SUTHERLAND
BAKER	DALY	HURD	PATTENGILL	J. T. TAYLOR
BERGEN	DEYOE	JONES	CICERO C. PECK	THAIN
BERRY	FISH	KEEGAN	DEWITT C. PECK	TOWNSLEY
BROOKS	FITZGERALD	KELLOGG	PEEK	VALENTINE
BROWNING	FLOYD-JONES	KING	POOL	WADSWORTH
BRUNDAGE	FLYNN	LANGNER	REYNOLDS	WAKELY
CHAPPELL	FOSTER	LOVELAND	ROBERTS	WHEELER
CHASE	GALVIN	LOWING	ROWLAND	WILBOR
CLAPP	GILBERT	MEAD	SAWYER	WILLERS
J. M. CLARK	GRADY	MEKEEL	SEARING	WILLIAMS
CONVERSE	G AHAM	J. H. MILLER	SEEACHER	WILLIS
CORMACK	HALLIDAY	S. V. R. MILLER	SHEARD	WINCH
COSAD	HAMILTON			

Those who voted in the negative, were

BEARD BERRIGAN PATTERSON

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 97. NOES 1.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOLBROOK	MEYENBORG	SHELDON
ALLEN	CRAWFORD	HOYT	NEILSON	SKINNER
ALVORF	CROWLEY	HULME	NELSON	STORY
ANDREWS	CURRAN	HURD	NORTH	STRACK
ASTOR	DEYOE	JONES	NOYES	SUTHERLAND
BAKER	FISH	KEATOR	PATTENGILL	J. T. TAYLOR
BEARD	FLOYD-JONES	KEEGAN	PATTERSON	TERRY

BERGEN	FOSTER	KELLOGG	CICERO C. PECK	THAIN
BERRIGAN	GALVIN	KERN	DEWITT C. PECK	THOMSON
BERRY	GILBERT	KING	PEEK	TOWNSLEY
BROOKS	GRADY	LOVELAND	PROPER	VALENTINE
BRUNDAGE	GRAHAM	LOWING	PURDY	WADSWORTH
CASE	HALLIDAY	MAPES	REYNOLDS	WAKELY
CHAPPELL	HAMILTON	MATTISON	ROBERTS	WARING
CHASE	HAVENS	MEAD	SAWYER	WILBOR
CLAPP	I. I. HAYES	MEKEEL	SEARING	WILLERS
J. M. CLARK	J. HAYES	J. H. MILLER	SEEBACHER	WILLIAMS
CONVERSE	HEPBURN	S. V. R. MILLER	SEWELL	WILLIS
CORMACK	HOBBIE	MOLLER	SHEARD	WINCH
COSAD	HOLAHAN			

For the negative,

CLANCY

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 308 of the Laws of 1854, entitled 'An act relative to the New York Baptist Union for Ministerial Education,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 95.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. CLARK	I. I. HAYES	MCDONOUGH	SEARING
ALLEN	J. M. CLARK	J. HAYES	MEAD	SHANLEY
ALVORD	CONVERSE	HEPBURN	MEKEEL	SHEARD
ANDREWS	CORMACK	HOBBIE	J. H. MILLER	SHELDON
ASTOR	COSAD	HOLAHAN	S. V. R. MILLER	SKINNER
BAKER	CRANDALL	HOLBROOK	MOLLER	STRACK
BATHE	CRAWFORD	HOYT	MOOERS	SUTHERLAND
BEARD	CROWLEY	HULME	MEYENBORG	J. T. TAYLOR
BERGEN	CURRAN	HURD	NEILSON	TERRY
BERRIGAN	DEYOE	JONES	NORTH	THOMSON
BERRY	FISH	KEATOR	NOYES	TOWNSLEY
BROOKS	FLOYD-JONES	KEEGAN	PATTENGILL	VALENTINE
BROWNING	FOSTER	KELLOGG	PATTERSON	WADSWORTH
BRUNDAGE	GALVIN	KERN	CICERO C. PECK	WARING
CASE	GILBERT	KING	DEWITT C. PECK	WILBOR
CHAPPELL	GRADY	LOVELAND	PEEK	WILLERS
CHASE	GRAHAM	LOWING	POOL	WILLIAMS
CLANCY	HAMILTON	MAPES	ROBERTS	WILLIS
CLAPP	HAVENS	MATTISON	SAWYER	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 30 of the Laws of 1873, entitled 'An act to create a board of charities in and for the city of Utica,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	J. CLARK	I. I. HAYES	MEAD	SEARING
ALLEN	J. M. CLARK	HEPBURN	MEKEEL	SEWELL

ALVORD	CONVERSE	HOBBIE	J. H. MILLER	SHEARD
ANDREWS	CORMACK	HOLBROOK	S. V. R. MILLER	SHELDON
ASTOR	CRANDALL	HOYT	MOOERS	SKINNER
BAKER	CRAWFORD	HULME	MEYENBORG	STORY
BATHE	CROWLEY	HURD	NEILSON	STRACK
BEARD	CURRAN	JONES	NORTH	SUTHERLAND
BERRIGAN	DOUGLASS	KEATOR	NOYES	J. T. TAYLOR
BERRY	FISH	KEEGAN	PATTENGILL	THOMSON
BROOKS	FITZGERALD	KELLOGG	CICERO C. PECK	VALENTINE
BROWNING	FLOYD-JONES	KING	DEWITT C. PECK	WHEELER
BRUNDAGE	FOSTER	LANGNER	PEEK	WILBOR
CASE	GALVIN	LOVELAND	PIPER	WILLERS
CHAPPELL	GRAHAM	LOWING	POOL	WILLIAMS
CHASE	HAMILTON	MAPES	ROBERTS	WILLIS
CLAPP	HAVENS	MCDONOUGH	SAWYER	WINCH

For the negative,

PROPER

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 194 of the Laws of 1873, entitled 'An act to continue in force and amend chapter 138 of the Laws of 1852, entitled An act to incorporate the firemen of the city of Utica as a benevolent association,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLANCY	HOLBROOK	S. V. R. MILLER	SEWELL
ALLEN	J. M. CLARK	HOYT	MEYENBORG	SHEARD
ALVORD	CONVERSE	HULME	NELSON	SHELDON
ANDREWS	CORMACK	JONES	NORTH	SKINNER
ASTOR	CRAWFORD	KEATOR	NOYES	SUTHERLAND
BAKER	DALY	KEEGAN	PATTENGILL	J. T. TAYLOR
BATHE	DEYOE	KELLOGG	PATTERSON	TERRY
BEARD	FISH	KING	CICERO C. PECK	THAIN
BERRIGAN	FITZGERALD	LANGNER	DEWITT C. PECK	THOMSON
BERRY	FLOYD-JONES	LOVELAND	PEEK	TOWNSLEY
BOUCK	FOSTER	LOWING	PIPER	VALENTINE
BROOKS	GALVIN	MAPES	POOL	WAKELY
BROWNING	GRAHAM	MATTISON	ROBERTS	WILBOR
BRUNDAGE	HAMILTON	MCDONOUGH	ROWLAND	WILLERS
CASE	HAVENS	MEAD	SAWYER	WILLIAMS
CHAPPELL	HEPBURN	MEKEEL	SEARING	WILLIS
CHASE	HOBBIE	J. H. MILLER	SEEBACHER	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 92.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HOBBIE	NELSON	SHELDON
ALLEN	CONVERSE	HOLAHAN	NIVEN	SKINNER
ALVORD	CORMACK	HOYT	NORTH	STORY
ANDREWS	CRANDALL	JONES	NOYES	STRACK
ASTOR	CROWLEY	KEEGAN	PATTENGILL	SUTHERLAND
BAKER	CURRAN	KELLOGG	PATTERSON	J. T. TAYLOR
BATHE	DALY	KERN	CICERO C. PECK	TERRY
BEARD	DAY	KING	DEWITT C. PECK	THAIN
BERGEN	DEYOE	LANGNER	PEEK	THOMSON
BERRIGAN	FISH	LOVELAND	PIPER	TOWNSLEY
BERRY	FITZGERALD	MAPES	POOL	VALENTINE
BOUCK	FLOYD-JONES	MEAD	PROPER	WAKELY
BROOKS	FOSTER	MEKEEL	PURDY	WARING
BROWNING	GALVIN	J. H. MILLER	ROBERTS	WILBOR
BRUNDAGE	GILBERT	S. V. R. MILLER	SAWYER	WILLERS
CASE	GRAHAM	MOLLER	SEEBACHER	WILLIAMS
CHAPPELL	HAMILTON	MOOERS	SEWELL	WILLIS
CLAPP	J. HAYES	MEYENBORG	SHANLEY	WINCH
J. CLARK	HENRY			

Those who voted in the negative, were

CRAWFORD	HEPBURN	HULME
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to release the interest of the people of the State of New York in and to all surplus moneys arising from the sale in mortgage foreclosure of certain real estate in the city of Albany, of which Joseph Kirk died seized to John Kirk," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 100.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	J. HAYES	S. V. R. MILLER	SEWELL
ALLEN	CORMACK	HENRY	MOLLER	SHELDON
ALVORD	CRANDALL	HEPBURN	MEYENBORG	SKINNER
ANDREWS	CRAWFORD	HOBBIE	NEILSON	STORY
ASTOR	CROWLEY	HOLAHAN	NELSON	STRACK
BAKER	CURRAN	HOLBROOK	NIVEN	SUTHERLAND
BATHE	DALY	HOYT	NORTH	J. T. TAYLOR
BEARD	DAY	HULME	PARKER	TERRY
BERGEN	DEYOE	HURD	PATTENGILL	THAIN
BERRIGAN	FISH	JONES	PATTERSON	THOMSON
BERRY	FITZGERALD	KEEGAN	CICERO C. PECK	TOWNSLEY
BOUCK	FLOYD-JONES	KELLOGG	DEWITT C. PECK	VALENTINE
BROOKS	FOSTER	KERN	PEEK	WADSWORTH
BROWNING	GALVIN	KING	PIPER	WAKELY
BRUNDAGE	GILBERT	LANGNER	POOL	WHEELER
BURNS	GRADY	LOVELAND	PURDY	WILBOR
CASE	GRAHAM	MAPES	ROBERTS	WILLERS
CHAPPELL	GRIGGS	MATTISON	SAWYER	WILLIAMS
CHASE	HAMILTON	MEKEEL	SEARING	WILLIS
CLAPP	HAVENS	J. H. MILLER	SEEBACHER	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act authorizing the construction of a railroad from Lake Champlain to Dannemora prison and the employment of con-

vict labor thereon and the management thereof," having been announced for a third reading,

Mr. Galvin moved that said bill be recommitted to the committee on state prisons, with instructions to strike out the enacting clause.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the negative, as follows:

AYES 52.

NOES 56.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	KERN	PARKER	SKINNER
ALVORD	DEYOE	KING	DEWITT C. PECK	SUTHERLAND
ANDREWS	FISH	LOWING	PEEK	TERRY
ASTOR	GILBERT	MATISON	POOL	VALENTINE
BERRY	GRAHAM	J. H. MILLER	REYNOLDS	WADSWORTH
BRUNDAGE	I. I. HAYES	S. V. R. MILLER	ROWLAND	WAKELY
CASE	HEPBURN	MOOERS	SAWYER	WARING
CHAPPELL	HOLBROOK	NIVEN	SEWELL	WILLIAMS
CHASE	HOYT	NORTH	SHEARD	WILLIS
CLAPP	HULME	NOYES	SHELDON	WINCH
J. M. CLARK	KEEGAN			

Those who voted in the negative, were

BAKER	CRAWFORD	GALVIN	LANGNER	CICERO C. PECK
BATHE	CROWLEY	GRADY	LOVELAND	PIPER
BEARD	CURRAN	HALLIDAY	MAPES	PROPER
BERGEN	DALY	HAMILTON	MCDONOUGH	SEEBACHER
BERRIGAN	DAY	HAVENS	MEKEEL	SHANLEY
BOUCK	DOUGLASS	J. HAYES	MOLLER	SLITER
BROOKS	FITZGERALD	HENRY	MEYENBORG	STRACK
BROWNING	FLOYD-JONES	HOLAHAN	NEILSON	THAIN
BURNS	FLYNN	JONES	NELSON	THOMSON
CLANCY	FOSTER	KEATOR	PATTENGILL	TOWNSLEY
J. CLARK	FRANK	KELLOGG	PATTERSON	WILBOR
CORMACK				

Mr. Alvord moved that said bill be recommitted to the committee on state prisons, with instructions to amend said bill as follows, and report forthwith:

Add to section 5, at the end of line 5, the words "provided and on condition that the cost of said road shall not exceed said sum in addition to the convict labor laid out thereon."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mooers, from the committee on state prisons, reported said bill amended as instructed by the House.

Mr. Skinner moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Galvin, and it was determined in the negative, as follows:

AYES 45.

NOES 60.

Those who voted in the affirmative, were

ALLEN	J. CLARK	FLYNN	JONES	PROPER
BATHE	CONVERSE	FOSTER	LANGNER	ROBERTS
BEARD	CRAWFORD	FRANK	LOVELAND	SEARING
BERRIGAN	CROWLEY	GALVIN	MCDONOUGH	SEEBACHER
BOUCK	CURRAN	GRADY	MOLLER	SHANLEY
BROOKS	DALY	J. HAYES	MEYENBORG	STRACK

BROWNING	DAY	HENRY	NIVEN	THAIN
BURNS	DOUGLASS	HOLAHAN	PATTERSON	THOMSON
CLANCY	FITZGERALD	HOLBROOK	PIPER	TOWNSLEY

Those who voted in the negative, were

ABBOTT	CRANDALL	HOYT	NOYES	STORY
ALVORD	DEYOE	HULME	PARKER	SUTHERLAND
ANDREWS	FISH	HURD	PATTENGILL	TERRY
ASTOR	FLOYD-JONES	KEEGAN	DEWITT C. PECK	VALENTINE
BERRY	GILBERT	KELLOGG	PEEK	WADSWORTH
BRUNDAGE	GRAHAM	KERN	POOL	WAKELY
CASE	GRIGGS	LOWING	REYNOLDS	WARING
CHAPPELL	HALLIDAY	MATTISON	ROWLAND	WHEELER
CHASE	HAMILTON	MEKEEL	SAWYER	WILBOR
CLAPP	HAVENS	J. H. MILLER	SEWELL	WILLIAMS
J. M. CLARK	I. I. HAYES	S. V. R. MILLER	SHEARD	WILLIS
CORMACK	HEPBURN	MOOERS	SHELDON	WINCH
COSAD	HOBBIE	NORTH	SKINNER	

When the name of Mr. Purdy was called, he stated that he was paired with Mr. Palmer.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 64.

NOES 51.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HULME	NOYES	SKINNER
ALVORD	DEYOE	HURD	PARKER	STORY
ANDREWS	FISH	KEEGAN	PATTENGILL	SUTHERLAND
ASTOR	FLOYD-JONES	KELLOGG	CICERO C. PECK	TERRY
BERRY	GILBERT	KERN	DEWITT C. PECK	VALENTINE
BRUNDAGE	GRAHAM	KING	PEEK	WADSWORTH
CASE	GRIGGS	LOWING	POOL	WAKELY
CHAPPELL	HALLIDAY	MATTISON	REYNOLDS	WARING
CHASE	HAVENS	MEKEEL	ROWLAND	WHEELER
CLAPP	I. I. HAYES	J. H. MILLER	SAWYER	WILBOR
J. M. CLARK	HEPBURN	S. V. R. MILLER	SEWELL	WILLIS
CORMACK	HOBBIE	MOOERS	SHEARD	WINCH
COSAD	HOYT	NORTH	SHELDON	

Those who voted in the negative, were

ALLEN	CRAWFORD	GALVIN	MAPES	ROBERTS
BATHE	CROWLEY	GRADY	MCDONOUGH	SEARING
BEARD	CURRAN	HAMILTON	MOLLER	SEEBACHER
BERRIGAN	DALY	J. HAYES	MEYENBERG	SHANLEY
BOUCK	DAY	HENRY	NEILSON	STRACK
BROOKS	DOUGLASS	HOLAHAN	NELSON	J. T. TAYLOR
BROWNING	FITZGERALD	HOLBROOK	NIVEN	THAIN
BURNS	FLYNN	JONES	PATTERSON	THOMSON
CLANCY	FOSTER	LANGNER	PIPER	TOWNSLEY
J. CLARK	FRANK	LOVELAND	PROPER	WILLIAMS
CONVERSE				

Mr. Alvord moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" with a message that they had concurred in the passage of the same, with the following amendment :

Section 1, line 6, after the word "Monroe," insert the words "Onondaga, Columbia."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83.

NOES 1.

Those who voted in the affirmative, were

ALLEN	FLOYD-JONES	JONES	PARKER	STORY
ALVORD	FLYNN	KEEGAN	PATTENGILL	STRACK
ASTOR	FOSTER	KELLOGG	PATTERSON	SUTHERLAND
BATHE	GALVIN	KING	CICERO C. PECK	TERRY
BEARD	GILBERT	LANGNER	DeWITT C. PECK	THAIN
BERRY	GRADY	LOVELAND	PEEK	THOMSON
BOUCK	GRAHAM	LOWING	PIPER	TOWNSLEY
BROOKS	HALLIDAY	MATTISON	POOL	VALENTINE
BRUNDAGE	HAMILTON	MEKEEL	ROBERTS	WADSWORTH
CASE	HAVENS	J. H. MILLER	SAWYER	WAKELY
CHASE	I. I. HAYES	S. V. R. MILLER	SEARING	WARING
CLAPP	J. HAYES	MOLLER	SEEBACHER	WHEELER
J. M. CLARK	HENRY	MOOERS	SEWELL	WILBOR
CROWLEY	HOLBROOK	NEILSON	SHEARD	WILLIAMS
DALY	HOYT	NIVEN	SHELDON	WILLIS
DEYOE	HULME	NORTH	SKINNER	WINCH
FISH	HURD	NOYES		

For the negative,

COSAD

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

Mr. Speaker presented a communication from the comptroller of the city of New York, in response to a resolution of the Assembly, relative to the finances of said city; which was laid upon the table and ordered printed.

(See Doc No. 100.)

Mr. Skinner moved that said communication be referred to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented a communication from the Auditor of the Canal Department, in response to a resolution of the Assembly, relative to the amount of money expended in experiments for steam towage on the canals; which was read and referred to the committee on canals.

Also, resolutions and report of the Canal Board for the concurrence of the Legislature; which were read and referred to the committee on canals.

Also, a memorial from the National party; which was read and referred to the committee on affairs of cities.

Mr. Fish rose to a question of privilege, and read an extract from the New York Times, as follows:

"The rumors current a week ago about the bargain with Kelly for the votes of the Tammany senators were undoubtedly well founded. Last night, when Smyth's chances looked blue, it was reported that two of the Tammany senators had weakened and were going to vote for removal. That astute and high-minded statesman, Hamilton Fish, jr., chairman

of the committee on cities, on learning this fact called his committee together early this morning and directed the clerk to make out a favorable report of the bill making the comptroller's office in New York elective. When the Assembly met the bill was reported, and notice of the fact was immediately communicated to the Tammany senators sitting on the trial of Smyth up stairs. Assurances were at once given that they would vote as desired on the Smyth issue, whereupon the nimble Fish flopped back again into the Kelly pool, and had his elective controller bill recommitted to the committee on cities, where it will doubtless be allowed to rest for the remainder of the session, together with all other legislative projects designed to curtail the power of the Tammany chief. Fish was one of the first to rush up stairs after the verdict and congratulate Pomeroy on his brilliant speech, which must have been very flattering to the Auburn senator."

Mr. Fish then said :

MR. SPEAKER—I pronounce the statements herein utterly devoid of truth, and I believe that the correspondent who wrote them knew at the time that they were absolutely false. There is not one word of truth in regard to the statement as to the comptroller's bill. To-morrow I shall move that this matter be referred to the committee on privileges and elections, with instructions to make the correspondent who sent this communication to New York, show what truth there was in it, and if he cannot prove that statement, that he be expelled from this floor. It is time that this House should assert its dignity. The other day, for a much less offense, within three minutes they expelled the correspondent of another paper. Now, Mr. Speaker, I have had nothing to do whatever with this trial of Mr. Smyth. I did not regard it as my duty to interfere, nor did I think it would be proper for me to urge my personal views on any member of that jury. I regard this interference of the New York papers in this trial, trying to browbeat Senators and dictate to the Senators what action they should take, as extremely indelicate and unjustifiable. I believe that every man who was there and voted on the trial, voted as a sense of duty, and was not led by any outside inducement. This journal and its correspondent for the last year have not ceased to attack me, owing to a disagreement which we had in relation to some New York bills last winter; and when the Times sought to make me its abject slave last winter in regard to city measures, and I refused to follow them, from that time to this it would appear as if the correspondent had been told what he was to state in regard to me, and to black-mail me on every occasion. Now I say that the House should take some action in regard to this matter. [Mr. Fish explained the action of the committee and also of himself on the comptroller's bill, stating that it was referred back to the committee at the request of Mr. Brooks, in which statement he was substantiated by Mr. Brooks.]

Mr. Fish moved to postpone the consideration of his question of privilege until to-morrow morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The committee on public printing, to which was referred the resolution offered by Mr. Fish, on March 27th, as follows :

"Whereas, There is great delay in the placing of bills on the files after they have been reported by the committees of the House; therefore,

“*Resolved*, That the committee be directed to inquire into the matter, and report to the House what steps are necessary to expedite the printing of the bills after they have been reported to the House,” respectfully

REPORT :

That they have carefully inquired into the matter referred to in the above resolution, and find that there has been no great delay in the placing of bills upon the files of the House after being reported from committees, but that with the exception of slight and unavoidable detentions, caused by an unusual number of reports from committees, the work referred to is promptly and satisfactorily performed.

CHAS. R. SKINNER,	A. REYNOLDS,
R. H. ROBERTS,	GEO. W. NEILSON.
H. H. WAKELY,	JOHN W. BROWNING,
J. H. MILLER,	B. GAGE BERRY,

EDWARD CURRAN,

Committee on Public Printing.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Purdy introduced a bill entitled “An act to provide for the collection of taxes assessed in the year 1873, in the town of West Farms, and for the payment of claims against said town,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Parker introduced a bill entitled “An act to amend chapter 263 of the Laws of 1873, entitled ‘An act to amend chapter 334 of the Laws of 1869, entitled An act to consolidate and amend the several acts relating to the village of Jamestown, and to enlarge the powers of the corporation,’” which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Parker, and by unanimous consent, said bill was ordered to a third reading.

On motion of Mr. Parker, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. CLARK	I. I. HAYES	MOOERS	SEEBACHER
ALLEN	CORMACK	J. HAYES	MEYENBORG	SEWELL
ALVORD	COSAD	HENRY	NEILSON	SHANLEY
ANDREWS	CRANDALL	HOBBIE	NIVEN	SHEARD
ASTOR	CROWLEY	HOLBROOK	NORTH	SHELDON
BAKER	CURRAN	HOYT	NOYES	SKINNER
BATHE	DALY	HULME	PARKER	STORY
BERRIGAN	DAY	JONES	PATTENGILL	SUTHERLAND
BERRY	DOUGLASS	KEEGAN	PATTERSON	J. T. TAYLOR
BOUCK	FISH	KING	CICERO C. PECK	TOWNSLEY
BROOKS	FLYNN	LANGNER	DEWITT C. PECK	WADSWORTH
BROWNING	GALVIN	LOVELAND	PIPER	WARING
BRUNDAGE	GILBERT	MATTISON	POOL	WILBOR
CASE	GRADY	MEKEEL	PURDY	WILLIAMS
CHAPPELL	GRAHAM	J. H. MILLER	ROBERTS	WILLIS
CHASE	HAMILTON	MOLLER	ROWLAND	WINCH
CLAPP	HAVENS			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Hulme introduced a bill entitled "An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie, and to consolidate with it other acts relating to said city,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Langner introduced a bill entitled "An act to prohibit the insurance of property against loss and damage by fire except by companies incorporated for that purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Sewell introduced a bill entitled "An act to provide for and to encourage the construction of sidewalks in certain road districts in the town of Sidney, Delaware county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. C. C. Peck introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Wadsworth introduced a bill entitled "An act to amend chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights, and other property connected therewith,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, a bill entitled "An act to provide for the building of a town house in the town of Sparta, in the county of Livingston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Seebacher introduced a bill entitled "An act to provide for the better protection of property and life in the State of New York from the rapid spread of fires through steam elevator passages or flues," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Thain introduced a bill entitled "An act to amend chapter 117 of the Laws of 1872, entitled 'An act relating to the Erie Railway Company, repealing chapter 116 of the Laws of 1869, so far as relates to the classification of directors of the Erie Railway Company and the prolongation thereby of their terms of office, and vacating the offices of directors of said company held thereunder, and ordering a new election for a full board of directors of said company, and providing regulations relating to the election of directors of said company and the transfer of its stock,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. I. I. Hayes introduced a bill entitled "An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Berrigan introduced a bill entitled "An act in relation to the Compost Transportation Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Keegan introduced a bill entitled "An act to improve Flushing avenue, Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Terry introduced a bill entitled "An act accepting the sovereignty and jurisdiction over a portion of the State of Vermont ceded to the State of New York in the year 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on federal relations.

Mr. Moller introduced a bill entitled "An act to prevent accidents on railroads operated by steam power in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, a bill entitled "An act imposing a tax and prescribing the mode of collecting the same on the privilege of selling wine, ardent spirits, or malt liquors within the limits of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Moller, and by unanimous consent, said bill was ordered printed.

Mr. Day introduced a bill entitled "An act to reduce the number of managers of the Charity Foundation of the Protestant Episcopal Church in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Wagstaff, Int. No. 57, entitled "An act to amend article 3, title 1 of chapter 8, part 2 of the Revised Statutes, entitled 'Of divorces dissolving the marriage contract,'" reported in favor of the passage of the same, with an amendment (Messrs. Gilbert, Graham and Abbott dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, to which was referred the bill introduced by Mr. Beard, Int. No. 720, entitled "An act transferring a portion of the Chemung canal to the city of Elmira for street purposes," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, to which was referred the bill introduced by Mr. Hurd, Int. No. 431, entitled "An act to authorize the construction of a bridge over the Erie canal at Tonawanda, N. Y.," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, to which was referred the bill introduced by Mr. I. I. Hayes, Int. No. 621, entitled "An act additional to chapter 320 of the Laws of 1872, entitled 'An act to amend an act relating to the rates of wharfage, and to regulate piers, wharves,

bulkheads and slips in the cities of New York and Brooklyn,' passed May 6, 1870," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, to which was referred the bill introduced by Mr. J. M. Clark, Int. No. 233, entitled "An act relating to the disposition of the prism and banks of the Crooked Lake canal," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, to which was referred the Senate bill introduced by Mr. Ecclesine, Int. No. 101, entitled "An act to amend chapter 371 of the Laws of 1877, entitled 'An act to provide for the introduction of an improved system of steam towage upon the canals of the State,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mekeel, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Neilson, Int. No. 424, entitled "An act to authorize the Boston Hoosac Tunnel and Western Railway Company to establish and maintain a toll bridge across the Hudson river, near the village of Mechanicville," reported adversely thereto, which report was agreed to.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Mattison, Int. No. 296, entitled "An act to provide for the formation of county co-operation insurance companies," reported the same for the consideration of the House, which report was agreed to, and said bill was committed to the committee of the whole.

Mr. Hepburn moved to recommit said bill to the committee on insurance, when printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Moller, Int. No. 450, entitled "An act to authorize the Mutual Fire Insurance Company to unite a cash capital and to provide for its participation in their business," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Thain, Int. No. , entitled "An act to define the terms upon which foreign insurance companies may transact the business of fire insurance in this State," reported adversely thereto, which report was agreed to.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Thain, Int. No. 380, entitled "An act to amend an act entitled 'An act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance,' passed May 8, 1877," reported adversely thereto, which report was agreed to.

Mr. Graham offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill No. 143, general orders No. 160, introduced by Mr. Graham and reported from the committee on insurance, entitled "An act in relation to life and fire insurance companies, associations or partnerships incorporated by or organized under the Laws of

any other State, of the United States or foreign government, doing business in the State of New York," be recommitted to the committee on insurance for further hearing, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Wiling, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Wilbor, Int. No. 653, entitled "An act authorizing the trustees of the village of Valatie to borrow money to be expended in the purchase of a suitable building and lot for the purpose of a public hall for the use of said village," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Valentine, Int. No. 311, entitled "An act to authorize the board of supervisors of the county of Wayne to determine that the Clyde and Rose Plank-road Company abandon its plank or gravel road in that county, and to provide for the abandonment thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Hurd, Int. No. 360, entitled "An act to render inoperative an act entitled 'An act to amend an act to improve the Cayuga creek road in the county of Erie,' passed March 29, 1848, passed March 27, 1849, so far as the same applies to the eastern section of said Cayuga creek road," reported in favor of the passage of the same, with amendments (Mr. Crowley dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Havens, Int. No. 248, entitled "An act to repeal chapter 403 of the Laws of 1868, entitled 'An act to establish and maintain a free bridge between Sag Harbor and North Haven, in the town of Southampton, Suffolk county, and to make such bridge a county charge,' " reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 403 of the Laws of 1868, entitled 'An act to establish and maintain a free bridge between Sag Harbor and North Haven, in the town of Southampton, Suffolk county, and to make such bridge a county charge,' " which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on state charitable institutions, to which was referred the bill introduced by Mr. Alvord, Int. No. 345, entitled "An act to establish, govern and manage the State Home for the Blind," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Chase, and by unanimous consent, said bill was recommitted to the committee on ways and means, when printed, retaining its place on general orders.

Mr. Noyes, from the committee on state charitable institutions, to which was referred the bill introduced by Mr. Wakely, Int. No. 74, entitled "An act to repeal section 1 of chapter 463 of the Laws of 1873, entitled 'An act to amend section 14 of chapter 744 of the Laws of 1867, entitled 'An act to define the objects of the New York State Institution for the

Blind, and to provide for its management,' " reported adversely thereto, which report was agreed to.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Rowland, Int. No. 682, entitled "An act to amend chapter 322 of the Laws of 1869, entitled An act to encourage the planting of shade-trees along the sides of public highways," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Astor offered, for the consideration of the House, a resolution in the words following:

Resolved, That the Annual Report of the Chief of Ordnance, this day transmitted to the Assembly by his Excellency the Governor, in conformity to section 56 of chapter 80 of the Laws of 1870, be printed with and form part of the Annual Report of the Adjutant-General for the year 1878, which has been ordered printed.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the following entitled bills, with a message that they had concurred in the passage of the same:

"An act to authorize the extension of the time for the collection of taxes in the several towns in Cayuga county, and the city of Auburn, in the same county."

"An act to authorize the extension of the time for the collection of taxes in the several towns of Wayne county."

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Crowley, and at 2 o'clock and 15 minutes, the House adjourned.

FRIDAY, MARCH 29, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Frank Smith.

The journal of yesterday was read and approved.

Mr. Speaker announced the special order, being the question of privilege raised by Mr. Fish.

Mr. Fish, in connection therewith, offered a resolution in the words following:

Whereas, One of the Albany correspondents of the New York Times, in his dispatch published in said paper March 28th, has impugned the motives and official course of Mr. Fish, a member of this House; and whereas, such member denies the statements contained therein, and avers them to be maliciously false; therefore,

Resolved, That the committee on privileges and elections be and they are hereby directed to summon the reporters of the New York Times designated for the Senate and Assembly, and cause them (if they are able), to substantiate such charges; and, upon their failing to substantiate them, the committee are requested to make such recommendation as will lead to the exclusion of the reporter from the place he holds in either House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker announced, pursuant to ninth joint rule, order of business, third reading of bills.

The bill entitled "An act relating to the term of office of the supervisors of the counties of Albany and Rensselaer," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 1.

Those who voted in the affirmative, were

ALLEN	J. CLARK	HEPBURN	NEILSON	SEWELL
ALVORD	J. M. CLARK	HOBBIE	NELSON	SKINNER
ANDREWS	CONVERSE	HOLAHAN	NOYES	STORY
ASTOR	CORMACK	HOLBROOK	PATTENGILL	STRACK
BAKER	COSAD	HOYT	DEWITT C. PECK	SUTHERLAND
BATHE	CRANDALL	HULME	PEEK	THAIN
BEARD	CRAWFORD	JONES	PIPER	TOWNSLEY
BERGEN	DEYOE	KEEGAN	POOL	WADSWORTH
BERRIGAN	FISH	KERN	PROPER	WARING
BERRY	FLOYD-JONES	KING	PURDY	WHEELER
BROOKS	FOSTER	LANGNER	ROBERTS	WILBOR
BROWNING	GALVIN	LOVELAND	ROWLAND	WILLERS
BRUNDAGE	GILBERT	MEKEEL	SAWYER	WILLIAMS
CHAPPELL	GRAHAM	J. H. MILLER	SEARING	WILLIS
CHASE	HAMILTON	MOLLER	SEEBACHER	WINCH
CLAPP	HAVENS	MOOERS		

For the negative,

CURRAN

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act regulating the term of office of supervisors in the county of Otsego, having been announced for a third reading,"

On motion of Mr. Brundage, and by unanimous consent, said bill was amended as follows :

Line 2, section 1, engrossed bill, after the word "Otsego," insert the words "Steuben and Livingston."

Change the word "county" to "counties."

Also, amend the title by striking out the word "county," and inserting in lieu thereof the word "counties."

After the word "Otsego," insert the words "Steuben and Livingston."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 1.

Those who voted in the affirmative, were

ALLEN	J. CLARK	HAVENS	MEKEEL	SAWYER
ALVORD	J. M. CLARK	J. HAYES	J. H. MILLER	SEARING
ANDREWS	CONVERSE	HENRY	MOLLER	SHANLEY
ASTOR	CORMACK	HOBBIE	MOOERS	STORY
BAKER	CRANDALL	HOLAHAN	MEYENBERG	STRACK
BATHE	CRAWFORD	HOLBROOK	NORTH	SUTHERLAND
BEARD	CURRAN	HOYT	NOYES	THAIN
BERGEN	DALY	HULME	PARKER	THOMSON
BERRIGAN	DEYOE	JONES	PATTENGILL	TOWNSLEY

BERRY	FISH	KEEGAN	PATTERSON	VALENTINE
BROOKS	FLOYD-JONES	KERN	DEWITT C. PECK	WAKELY
BROWNING	FLYNN	KING	PEEK	WARING
BRUNDAGE	FOSTER	LANGNER	POOL	WEMPLE
CHAPPELL	GALVIN	LOVELAND	PROPER	WILBOR
CHASE	GRAHAM	LOWING	PURDY	WILLIAMS
CLAPP	HAMILTON	MAPES	ROBERTS	WILLIS

For the negative,

SKINNER

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relative to notices of suits in equity," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CONVERSE	J. HAYES	MEYENBORG	SLITER
ALVORD	CORMACK	HENRY	NORTH	STORY
ANDREWS	COSAD	HOBBIE	NOYES	STRACK
ASTOR	CRANDALL	HOLAHAN	PATTENGILL	SUTHERLAND
BAKER	CRAWFORD	HOLBROOK	PATTERSON	THAIN
BATHE	CROWLEY	HOYT	DEWITT C. PECK	THOMSON
BEARD	CURRAN	HULME	PEEK	TOWNSLEY
BERGEN	DEYOE	JONES	PIPER	VALENTINE
BERRIGAN	FLOYD-JONES	KEEGAN	POOL	WARING
BERRY	FLYNN	KING	PROPER	WEMPLE
BROOKS	FOSTER	LANGNER	ROBERTS	WILBOR
BROWNING	GALVIN	LOVELAND	SAWYER	WILLERS
BRUNDAGE	GILBERT	MAPES	SEEBACHER	WILLIAMS
CHASE	GRAHAM	MEKEEL	SEWELL	WILLIS
CLAPP	HAMILTON	MOLLER	SKINNER	WINCH
J. M. CLARK	HAVENS	MOOERS		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to change the location of one of the bridges over the Champlain canal," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 3.

Those who voted in the affirmative, were

ALLEN	J. CLARK	HAMILTON	MEKEEL	SHELDON
ALVORD	J. M. CLARK	HENRY	MOOERS	SKINNER
ANDREWS	CONVERSE	HEPBURN	NOYES	STORY
ASTOR	COSAD	HOBBIE	PARKER	STRACK
BAKER	CRAWFORD	HOLAHAN	PATTENGILL	SUTHERLAND
BATHE	CROWLEY	HOLBROOK	PATTERSON	THAIN
BEARD	CURRAN	HOYT	DEWITT C. PECK	THOMSON
BERGEN	DALY	HULME	PEEK	TOWNSLEY
BERRIGAN	DEYOE	JONES	PIPER	VALENTINE
BERRY	FISH	KEEGAN	POOL	WARING

BROOKS	FLOYD-JONES	KERN	PURDY	WHEELER
BROWNING	FLYNN	KING	ROBERTS	WILBOR
BRUNDAGE	FOSTER	LANGNER	ROWLAND	WILLIAMS
CHAPPELL	GALVIN	LOWING	SAWYER	WILLIS
CHASE	GILBERT	MAPES	SEWELL	WINCH
CLAPP	GRIGGS	MEAD		

Those who voted in the negative, were

CORMACK	HAVENS	MOLLER
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the government of Long Island City," having been announced for a third reading,

Mr. Bergen moved to recommit said bill to the committee on the affairs of cities, with instructions to strike out the third section, and change the numbers of sections to correspond, and that said committee report forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish reported said bill amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CONVERSE	HENRY	MOOERS	SKINNER
ASTOR	CORMACK	HEPBURN	MEYENBORG	SLITER
BAKER	COSAD	HOBBIE	NEILSON	STORY
BATHE	CRANDALL	HOLBROOK	NORTH	STRACK
BEARD	CRAWFORD	HOYT	NOYES	SUTHERLAND
BERGEN	CROWLEY	HULME	PATTENGILL	THAIN
BERRIGAN	DEYOE	JONES	PATTERSON	THOMSON
BERRY	FISH	KEEGAN	DEWITT C. PECK	TOWNSLEY
BROOKS	FITZGERALD	KERN	PEEK	VALENTINE
BROWNING	FLOYD-JONES	KING	PIPER	WARING
BRUNDAGE	FLYNN	LANGNER	POOL	WEMPLE
CHAPPELL	FOSTER	LOVELAND	PROPER	WHEELER
CHASE	GALVIN	MEAD	ROBERTS	WILBOR
CLAPP	GILBERT	MEKEEL	SAWYER	WILLIS
J. CLARK	HAMILTON	J. H. MILLER	SEEBACHER	WINCH
J. M. CLARK	HAVENS	MOLLER	SEWELL	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Astor in the chair.

The bill entitled "An act in relation to the local judiciary of Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CONVERSE	HULME	NEILSON	SKINNER
ALVORD	CORMACK	JONES	NORTH	SLITER

ANDREWS	COSAD	KEEGAN	NOYES	STORY
ASTOR	CRANDALL	KERN	PARKER	STRACK
BAKER	CRAWFORD	KING	PATTENGILL	SUTHERLAND
BATHE	CROWLEY	LANGNER	PATTERSON	THAIN
BEARD	DALY	LOVELAND	DeWITT C. PECK	THOMSON
BERGEN	FISH	LOWING	PEEK	TOWNSLEY
BERRIGAN	FITZGERALD	MAPES	PIPER	VALENTINE
BERRY	FLOYD-JONES	MATTISON	POOL	WARING
BROOKS	FLYNN	MEAD	PROPER	WEMPLE
BROWNING	FOSTER	MEKEEL	ROBERTS	WILBOR
BRUNDAGE	GILBERT	J. H. MILLER	ROWLAND	WILLIAMS
CHAPPELL	HAMILTON	MOLLER	SAWYER	WILLIS
CHASE	HOLBROOK	MOOERS	SEWELL	WINCH
CLAPP	HOYT	MEYENBORG		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, and the several acts amendatory the eof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ALLEN	J. M. CLARK	JONES	NORTH	SLITER
ALVORD	CONVERSE	KEEGAN	NOYES	STORY
ANDREWS	CORMACK	KELLOGG	PATTENGILL	STRACK
ASTOR	COSAD	KERN	DeWITT C. PECK	SUTHERLAND
BAKER	CRANDALL	KING	PEEK	THAIN
BATHE	CRAWFORD	LANGNER	PIPER	THOMSON
BEARD	DEYOE	LOVELAND	POOL	TOWNSLEY
BERGEN	FISH	LOWING	PURDY	VALENTINE
BERRIGAN	FLOYD-JONES	MAPES	REYNOLDS	WARING
BERRY	FLYNN	MEAD	ROBERTS	WEMPLE
BROOKS	GILBERT	MEKEEL	ROWLAND	WHEELER
BROWNING	GRIGGS	J. H. MILLER	SAWYER	WILBOR
BRUNDAGE	HAMILTON	MOLLER	SEARING	WILLIAMS
CHAPPELL	HAVENS	MOOERS	SEEBACHER	WILLIS
CHASE	I. I. HAYES	MEYENBORG	SEWELL	WINCH
CLAPP	HULME	NEILSON	SKINNER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 1.

Those who voted in the affirmative, were

ALLEN	J. M. CLARK	HOLAHAN	J. H. MILLER	SEEBACHER
ALVORD	CONVERSE	HOLBROOK	S. V. R. MILLER	SEWELL
ANDREWS	COSAD	HOYT	MOLLER	SHEARD
ASTOR	CRANDALL	HULME	MOOERS	SHELDON
BATHE	DEYOE	HURD	NEILSON	SKINNER

BEARD	FISH	JONES	NOYES	SUTHERLAND
BERGEN	FLOYD-JONES	KEEGAN	PALMER	THAIN
BERRIGAN	FLYNN	KELLOGG	PARKER	THOMSON
BERRY	FOSTER	KERN	DEWITT C. PECK	VALENTINE
BROOKS	FRANK	KING	PEEK	WEMPLE
BROWNING	GRIGGS	LANGNER	PIPER	WHEELER
BRUNDAGE	HAVENS	LOVELAND	POOL	WILBOR
CASE	I. I. HAYES	LOWING	PROPER	WILLIAMS
CHAPPELL	J. HAYES	MAPES	ROBERTS	WILLIS
CHASE	HEPBURN	MATTISON	SAWYER	WINCH
CLAPP	HOBBIE	MEKEEL		

For the negative,

STRACK

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to repeal chapter 250 of the Laws of 1853, entitled 'An act relating to incorporated banks, banking associations and individual bankers located in the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 79.

NOES 1.

Those who voted in the affirmative, were

ALLEN	J. CLARK	HAVENS	S. V. R. MILLER	SHELDON
ALVORD	J. M. CLARK	I. I. HAYES	MOLLER	SKINNER
ANDREWS	CONVERSE	HEPBURN	MOOERS	SLITER
ASTOR	CORMACK	HOBBIE	NEILSON	STRACK
BATHE	CRANDALL	HOYT	NORTH	SUTHERLAND
BERGEN	CRAWFORD	HULME	NOYES	TERRY
BERRIGAN	DEYOE	HURD	PARKER	THAIN
BERRY	FISH	JONES	DEWITT C. PECK	THOMSON
BOUCK	FITZGERALD	KERN	PEEK	VALENTINE
BROOKS	FLOYD-JONES	KING	PIPER	WEMPLE
BROWNING	FLYNN	LOVELAND	POOL	WILBOR
BRUNDAGE	FOSTER	LOWING	ROBERTS	WILLERS
CASE	GALVIN	MAPES	ROWLAND	WILLIAMS
CHAPPELL	GRIGGS	MATTISON	SAWYER	WILLIS
CHASE	HALLIDAY	MEKEEL	SEEBACHER	WINCH
CLAPP	HAMILTON	J. H. MILLER	SEWELL	

For the negative,

KEEGAN

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act in relation to the city of Yonkers."

"An act to amend chapter 135 of the Laws of 1876, entitled 'An act to authorize plankroad and turnpike companies formed under and by virtue of an act entitled An act to provide for the incorporation of companies to construct plankroads, and for companies to construct turnpike roads,' passed May 7, 1847, to extend their charter or corporate existence."

"An act releasing the interest of the people of the State of New York in certain real estate to Christian Spiess."

"An act supplemental to chapter 421 of the Laws of 1877, entitled 'An act supplemental to an act entitled An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

"An act to provide for maintaining the solvency of life insurance companies, and protecting the rights of policyholders."

The bill entitled "An act to amend section 19 of chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and regulate the sale of intoxicating liquors so far as the same relates to the county of Ontario,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 4.

Those who voted in the affirmative, were

ALLEN	CORMACK	I. I. HAYES	MOOERS	SEWELL
ALVORF	COSAD	HENRY	MEYENBORG	SHELDON
ANDREWS	CRANDALL	HEPBURN	NEILSON	SKINNER
BATHE	CRAWFORD	HOBBIE	NORTH	STRACK
BERGEN	CROWLEY	HOLBROOK	NOYES	SUTHERLAND
BERRIGAN	CURRAN	HOYT	PATTERSON	TERRY
BERRY	DEYOE	HURD	CICERO C. PECK	THAIN
BOUCK	DOUGLASS	JONES	DEWITT C. PECK	THOMSON
BROOKS	FISH	KERN	PEEK	WAKELY
BRUNDAGE	FITZGERALD	KING	PIPER	WARING
CASE	FLOYD-JONES	LOVELAND	POOL	WEMPLE
CHAPPELL	FLYNN	LOWING	PROPER	WHEELER
CHASE	FOSTER	MEAD	PURDY	WILBOR
CLANCY	GALVIN	MEKEEL	ROBERTS	WILLERS
CLAPP	GRIGGS	J. H. MILLER	ROWLAND	WILLIAMS
J. M. CLARK	HAMILTON	S. V. R. MILLER	SAWYER	WILLIS
CONVERSE	HAVENS	MOLLER	SEEBACHER	WINCH

Those who voted in the negative, were

ASTOR	BEARD	J. HAYES	HULME
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to infectious and contagious diseases of animals," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CLAPP	HENRY	MOLLER	SHELDON
ALVORD	J. M. CLARK	HEPBURN	MOOERS	SKINNER
ANDREWS	CONVERSE	HOBBIE	NEILSON	SUTHERLAND
ASTOR	CORMACK	HOLBROOK	NOYES	TERRY
BAKER	COSAD	HOYT	PATTERSON	THAIN
BATHE	CRANDALL	HULME	DEWITT C. PECK	THOMSON
BEARD	CROWLEY	HURD	PEEK	TOWNSLEY
BERGEN	CURRAN	JONES	PIPER	WARING
BERRIGAN	DEYOE	KEEGAN	POOL	WEMPLE
BERRY	FLOYD-JONES	KERN	PURDY	WHEELER

BOUCK	FLYNN	KING	ROBERTS	WILBOR
BROOKS	GALVIN	LOWING	ROWLAND	WILLERS
BROWNING	GRIGGS	MAPES	SAWYER	WILLIAMS
CASE	HAMILTON	MEKEEL	SEEBACHER	WILLIS
CHAPPELL	HAVENS	J. H. MILLER	SEWELL	WINCH
CHASE	I. I. HAYES			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the rate of foot passenger ferriage across the East river, from the foot of East Thirty-Fourth street, New York city, and Borden avenue, Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor hereof, and three-fifths being present, as follows :

AYES 75.

NOES 19.

Those who voted in the affirmative, were

ALLEN	CLAPP	GILBERT	MEAD	SAWYER
ANDREWS	J. CLARK	HAMILTON	J. H. MILLER	SEWELL
ASTOR	J. M. CLARK	I. I. HAYES	MOOERS	SHEARD
BAKER	CONVERSE	J. HAYES	NEILSON	SHELDON
BATHE	CORMACK	HEPBURN	NORTH	STRACK
BERGEN	COSAD	HOLAHAN	NOYES	TERRY
BERRIGAN	CRANDALL	HOLBROOK	PARKER	THOMSON
BERRY	CROWLEY	HOYT	PATTENGILL	VALENTINE
BOUCK	CURRAN	HURD	PATTERSON	WARING
BROOKS	DEYOE	JONES	DEWITT C. PECK	WEMPLE
BROWNING	DOUGLASS	KEEGAN	PEEK	WILBOR
BRUNDAGE	FITZGERALD	KING	PIPER	WILLERS
CASE	FLOYD-JONES	LOVELAND	POOL	WILLIAMS
CHAPPELL	FOSTER	LOWING	PURDY	WILLIS
CHASE	FRANK	MAPES	ROBERTS	WINCH

Those who voted in the negative, were

ALVORD	GALVIN	KERN	SEEBACHER	THAIN
BEARD	HENRY	MEKEEL	SKINNER	TOWNSLEY
CRAWFORD	HOBBIE	MOLLER	SUTHERLAND	WHEELER
FISH	HULME	MEYENBORG	J. T. TAYLOR	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Valentine offered, for the consideration of the House, a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of the Assembly bill, not printed, entitled "An act to authorize the extension of the time for the collection of taxes in Wayne county," for amendment.

By unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the payment of expenses incurred in trials of convicts for crimes committed in the State prisons, and the management of such trials," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 1.

Those who voted in the affirmative, were

ALLEN	J. CLARK	HENRY	J. H. MILLER	SUTHERLAD
ALVORD	J. M. CLARK	HEPBURN	MOOERS	J. T. TAYLOR
ANDREWS	CONVERSE	HOBBIE	NORTH	TERRY
ASTOR	CRANDALL	HOLAHAN	NOYES	THAIN
BAKER	CRAWFORD	HOLBROOK	PATTENGILL	THOMSON
BEARD	CURRAN	HOYT	PEEK	TOWNSLEY
BERGEN	DEYOE	HULME	PIPER	VALENTINE
BERRIGAN	FISH	HURD	POOL	WARING
BERRY	FITZGERALD	JONES	ROBERTS	WEMPLE
BOUCK	FLOYD-JONES	KEEGAN	SEEBACHER	WHEELER
BROOKS	FOSTER	KERN	SHANLEY	WILBOR
BROWNING	GALVIN	LOVELAND	SHEARD	WILLIAMS
BRUNDAGE	GILBERT	MAPES	SHELDON	WILLIS
CHAPPELL	GRIGGS	MEAD	SKINNER	WINCH
CHASE	HAMILTON	MEKEEL	SLITER	SPEAKER
CLAPP	I. I. HAYES			

For the negative,

CORMACK

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker in the chair.

Mr. Hepburn offered, for the consideration of the House, a resolution in the words following :

Resolved, That when this House adjourns, it be to meet on Monday evening next at eight o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Brooks introduced a bill entitled "An act to authorize and direct the comptroller to receive, admit, and credit to the county of Richmond arrears of taxes upon lands of non-residents in said county for the years 1873, 1874, 1875, and 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

The bill entitled "An act to amend chapter 135, Laws of 1876, entitled 'An act to authorize plankroad and turnpike companies formed under and by virtue of an act entitled An act to provide for the incorporation of companies to construct plankroads and for companies to construct turnpike roads,' passed May 7, 1847, to extend their charter or corporate existence," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 4.

Those who voted in the affirmative, were

ALLEN	J. CLARK	GILBERT	J. H. MILLER	SEEBACHER
ALVORD	J. M. CLARK	GRADY	MOLLER	SHEARD

ANDREWS	CONVERSE	GRIGGS	MOOERS	SHELDON
ASTOR	CORMACK	HAMILTON	NEILSON	SKINNER
BAKER	COSAD	HAVENS	NORTH	J. T. TAYLOR
BATHE	CRANDALL	I. I. HAYES	NOYES	THOMSON
BERGEN	CRAWFORD	HEPBURN	PARKER	TOWNSLEY
BERRIGAN	CROWLEY	HOBBIE	PATTENGILL	WARING
BERRY	CURRAN	HOLBROOK	DEWITT C. PECK	WEMPLE
BROOKS	DEYOE	HULME	PEEK	WHEELER
BRUNDAGE	DOUGLASS	KEEGAN	PIPER	WILBOR
BURNS	FITZGERALD	KERN	POOL	WILLERS
CASE	FLOYD-JONES	KING	PURDY	WILLIAMS
CHAPPELL	FLYNN	LOWING	ROBERTS	WILLIS
CHASE	FOSTER	MAPES	ROWLAND	WINCH
CLAPP	FRANK	MEAD	SAWYER	

Those who voted in the negative, were

BEARD	FISH	JONES	MEKEEL
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act supplemental to chapter 421 of the Laws of 1877, entitled 'An act supplemental to an act entitled An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ALVORD	CONVERSE	I. I. HAYES	MEYENBORG	SKINNER
ANDREWS	CRANDALL	HEPBURN	NEILSON	SLITER
ASTOR	CRAWFORD	HOLBROOK	NORTH	STORY
BAKER	CROWLEY	HULME	NOYES	STRACK
BEARD	CURRAN	HURD	PATTENGILL	SUTHERLAND
BERRIGAN	DALY	JONES	DEWITT C. PECK	TERRY
BERRY	DEYOE	KEEGAN	PEEK	THAIN
BOUCK	DOUGLASS	KERN	POOL	THOMSON
BROOKS	FLOYD-JONES	KING	REYNOLDS	TOWNSLEY
BROWNING	FLYNN	LANGNER	ROBERTS	VALENTINE
BRUNDAGE	FOSTER	LOVELAND	ROWLAND	WARING
BURNS	GALVIN	LOWING	SAWYER	WILBOR
CASE	GILBERT	MEAD	SEARING	WILLERS
CHASE	GRIGGS	MEKEEL	SEEBACHER	WILLIAMS
CLAPP	HAMILTON	J. H. MILLER	SHEARD	WILLIS
J. CLARK	HAVENS	MOLLER	SHELDON	WINCH
J. M. CLARK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Chappell introduced a bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Peek introduced a bill entitled "An act to amend the Revised Statutes in relation to the attendance of witnesses before magistrates on complaint of the commitment of any criminal offense," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fish introduced a bill entitled "An act relative to the fees, percentages, allowances or salaries of public officers a charge against or payable from the treasury of the respective cities of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Fish, and by unanimous consent, said bill was ordered to be printed.

Mr. Rowland introduced a bill entitled "An act to exempt the lands held by the commissioners for improvements on the Oswegatchie river from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Mead introduced a bill entitled "An act to legalize and confirm the official acts of Norman F. M. Clute, William Marsh and F. T. Pier-son, justices of the peace of the town of Rotterdam, in the county of Schenectady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hamilton introduced a bill entitled "An act to amend an act entitled 'An act concerning the pilots of the channel of the East river, commonly called Hell Gate,' passed April 15, 1847, and the various acts amendatory thereto, passed March 12, 1860, March 14, 1865, May 17, 1867, April 16, 1868, and April 5, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Thain introduced a bill entitled "An act for the relief of the Loaners' Bank of the city of New York and the creditors thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Berry introduced a bill entitled "An act to amend chapter 523, Laws of 1870, entitled 'An act to incorporate the village of New Berlin, in Chenango county, and to repeal the present charter,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Frank introduced a bill entitled "An act to amend an act entitled 'An act to authorize the recovery at law for certain printing done and stationery furnished to the boards of aldermen and assistant aldermen in the city of New York,' passed June 5, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Speaker introduced a bill entitled "An act to protect spawning fish in the Hudson river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. North, Int. No. 284, entitled "An act relating to certain courts in the State of New York," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred

the bill introduced by Mr. North, Int. No. 627, entitled "An act to confer certain judicial powers upon the recorder of the city of Oswego, to hold courts of special sessions for the trial of certain causes, acting as a police justice for said city," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. North, Int. No. 635, entitled "An act to confer certain judicial powers upon the recorder of the city of Oswego," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. North, Int. No. 631, entitled "An act to authorize the chief of police of the city of Oswego to issue subpoenas in causes pending before the recorder of said city acting as police justice," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. North, Int. No. 634, entitled "An act to amend an act entitled 'An act to organize and establish a recorder's court in the city of Oswego,' passed April 12, 1848," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Thain, Int. No. 596, entitled "An act providing for the appearance of counsel in certain criminal proceedings," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Strack, Int. No. 714, entitled "An act to amend chapter 187 of the Laws of 1877, entitled 'An act relative to summary proceedings to recover the possession of lands for non-payment of rent, and for holding over after expiration of term, in the city of New York,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Edick, Int. No. 97, entitled "An act to legalize and confirm the official acts of William W. Snow, as trustee and president of the board of trustees of the village of Oneonta, in the county of Otsego," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Raines, Int. No. 78, entitled "An act to repeal section 830 of chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Reynolds, Int. No. 726, entitled "An act in relation to auctioneers," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Seebacher, Int. No. 746, entitled "An act to provide for the better protection of property and life in the State of New York from the rapid spread of fire through steam elevators, passages, or flues," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Winch, Int. No. 698, entitled "An act for the relief of the Lutheran Cemetery in the town of Newtown, in the county of Queens," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, to which was referred the bill introduced by Mr. Wadsworth, Int. No. 751, entitled "An act to amend chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights, and other property connected therewith,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, reported a bill entitled "An act in relation to canals," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(Messrs. Willers and Bouck dissenting.)

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Keegan, Int. No. 731, entitled "An act relative to the government of Long Island City," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Purdy, Int. No. 430, entitled "An act for the relief of R. T. Ford and Mr. R. Stevens of the city of New York," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bathe, Int. No. 410, entitled "An act authorizing the payment of rent due for the use and occupation of certain buildings in the city of New York," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fish, Int. No. 577, entitled "An act to abolish the board of excise and to confer additional powers on the police department of the city of New York," reported in favor of the passage of the same with amendments, and the title amended so as to read "An act relating to the board of excise of the city of New York," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Langner, Int. No. 683, entitled "An act to authorize the city of Buffalo to raise money to aid in the construction of a soldiers' and sailors' monument," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Keegan, Int. No. 730, entitled "An act to alter the map or plan of Long Island City in respect to certain streets in the Third and Fourth wards thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Crowley, Int. No. 630, entitled "An act to enable the park commissioners of the city of Buffalo to transfer to said city their jurisdiction and control over certain lands taken for a park and laid out by said commissioners as part of Delaware street," reported

in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Crowley, Int. No. 628, entitled "An act authorizing the Buffalo City Cemetery to convey to the city of Buffalo certain lands for a street," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Crowley, Int. No. 626, entitled "An act authorizing a change of boundary between the park under the jurisdiction and control of the park commissioners of the city of Buffalo and the lands of the Buffalo City Cemetery," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wheeler, from the committee on railroads, to which was referred the bill introduced by Mr. Moller, Int. No. 748, entitled "An act to prevent accidents on railroads operated by steam power in the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Cosad, Int. No. 126, entitled "An act authorizing the taxation of the shares in life, fire, and marine insurance companies," reported adversely thereto.

Mr. Cosad moved to disagree with the report of said committee, and that said bill be committed to the committee of the whole.

Mr. Purdy moved that said report be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Clapp, from the committee on banks, to which was referred the Senate bill introduced by Mr. McCarthy, Int. No. 90, entitled "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Hulme, Int. No. 655, entitled "An act to amend part first, chapter sixteenth, title first, article first of the Revised Statutes," reported adversely thereto, which report was agreed to.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Bergen, Int. No. 22, entitled "An act to enable the county of Kings to acquire turnpike roads and plank-roads in that county for public highways," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on public printing, to which was referred the resolutions relative to printing the Annual Report of the State Engineer and Surveyor, and extra copies of the Annual Report of the Prison Association of New York, reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That there be printed and bound in

cloth, 2,400 copies of the Report of the State Engineer and Surveyor on Railroads, for the year ending September 30, 1877, to be distributed by that officer according to law; also, ten copies of said report for each Senator and member of the present Legislature; also, one copy of said report to each officer and reporter of the present Legislature, the whole expense thereof to be refunded to the treasury of the State by an equitable assessment by the Comptroller upon the several railroad companies of this State, the price of printing the same to be agreed upon between the State Engineer and Surveyor, the Comptroller and the legislative printer.

Resolved, That also the Assembly concur in the Senate resolution, amended so as to read as follows:

That 1,000 extra copies of the Annual Report of the Prison Association of New York be printed for the use of that association, the same to be bound in paper covers.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, as follows:

AYES 55.

NOES 22.

Those who voted in the affirmative, were

ASTOR	CURRAN	HOLBROOK	MEYENBORG	STRACK
BAKER	FITZGERALD	HOYT	NORTH	SUTHERLAND
BATHE	FLOYD-JONES	HURD	NOYES	TERRY
BERRY	FLYNN	JONES	PARKER	THOMSON
BROWNING	GILBERT	KING	ROBERTS	VALENTINE
BRUNDAGE	GRAHAM	LANGNER	ROWLAND	WARING
CHAPPELL	GRIGGS	LOWING	SAWYER	WEMPLE
CLAPP	HAVENS	MAPES	SHEARD	WHEELER
J. M. CLARK	I. I. HAYES	MEKEEL	SHELDON	WILBOR
CONVERSE	HEPBURN	J. H. MILLER	SKINNER	WILLIAMS
CROWLEY	HOBBIE	MOOERS	STORY	WINCH

Those who voted in the negative, were

ALVORD	CHASE	FISH	LOVELAND	PROPER
ANDREWS	CLANCY	FOSTER	PATTERSON	SEARING
BEARD	CORMACK	GRADY	DEWITT C. PECK	THAIN
BERRIGAN	CRAWFORD	HULME	PIPER	WILLERS
BROOKS	DALY			

Mr. Brooks moved to reconsider said vote, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

Mr. D.W.C. Peck, from the committee on public education, to which was recommitted the printed bill No. 242, introduced by Mr. Floyd-Jones, Int. No. 523, entitled "An act further to amend chapter 510 of the Laws of 1869, entitled 'An act to amend an act entitled An act to incorporate the village of Flushing,' passed April 15, 1837, and the several acts amendatory thereof," reported in favor of the passage thereof with amendments (Messrs. Cormack, Noyes and D.W. C. Peck dissenting), and the title amended so as to read, "An act to amend chapter 447 of the Laws of 1877, entitled 'An act to establish the boundaries of school district No. 5 of the town of Flushing, and to provide for the collection of school taxes therein, and conferring additional powers upon the board of education of said district,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. W. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Sawyer, Int. No. 547, entitled "An

act to amend chapter 555 of the Laws of 1864, entitled "An act to revise and consolidate the general acts relating to public instruction," reported in favor of the passage of the same with amendments (Messrs. Beard, Browning and Sewell dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. W. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Sheard, Int. No. 738, entitled "An act to amend section 28, chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. W. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Willis, Int. No. 444, entitled "An act in relation to the election of officers in certain school districts," reported in favor of the passage of the same with amendments (Mr. Flynn dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. W. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Purdy, Int. No. 686, entitled "An act in relation to the public schools of the city of Yonkers," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. W. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Astor, Int. No. 610, entitled "An act in relation to the principals of the schools under the charge of the board of education of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sheard, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Burns, Int. No. 585, entitled "An act for the better security of life from fire in hotels and other buildings," reported in favor of the passage of the same, which report was agreed to, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on the petitions of aliens, to which was referred the Senate bill introduced by Mr. Goodwin, Int. No. , entitled "An act to release to Evan E. Roberts the right, title and interest of the people of the State of New York in and to the real estate, situate in the city of Utica, county of Oneida, of which Mary E. Roberts died seized," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Parker, from the committee on the petitions of aliens, to which was referred the bill introduced by Mr. J. T. Taylor, Int. No. 674, entitled "An act to release the interest of the people of the State of New York in and to certain real estate in the city of New York, in the State of New York, of which Peter W. Duncan or Eliza Kelly, or both of said persons died seized and possessed, to the persons who, according to the statutes of this State, would answer the description of heirs-at-law of such deceased persons, whether they were citizens or aliens at the time of the death of the said Peter W. Duncan or Eliza Kelly," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Parker, from the committee on the petitions of aliens, to which was referred the bill introduced by Mr. Hobbie, Int. No. 313, entitled

"An act to release the interest of the State of New York in certain lands, to Catharine Weber, and to authorize her to hold and convey the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Berry presented a report from the sub-committee of the whole ; which was laid upon the table and ordered printed.

(See *Doc. No. 101.*)

Mr. J. H. Miller, from the committee on game laws, to which was referred the bill introduced by Mr. Searing, Int. No. 448, entitled "An act for the protection of fish in Esopus creek and its tributaries, in the county of Ulster," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. H. Miller, from the committee on game laws, to which was referred the bill introduced by Mr. Chase, Int. No. 532, entitled "An act to amend chapter 721 of the laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported adversely thereto, which report was agreed to.

Mr. J. H. Miller, from the committee on game laws, to which was referred the bill introduced by Mr. Brooks, Int. No. 716, entitled "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. H. Miller, from the committee on game laws, to which was referred the bill introduced by Mr. Hoyt, Int. No. 639, entitled "An act to amend an act to provide for the removal of eel weirs and other devices to take fish, from the Delaware river and any of its tributaries, and to prevent the maintenance of such devices, passed May 19, 1877, chapter 296 of Laws of 1877," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Berry called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows :

G. O. 271, No. 232, "An act to legalize the proceedings of the electors of the town of Fowler, St. Lawrence county, in annual and special town meetings assembled on the 12th and 26th days of February, 1878, in relation to the raising of money for the improvement of certain roads."

G. O. 288, No. 244, "An act to amend chapter 184, Laws of 1839, entitled 'An act in relation to trusts, for the benefit of the meetings of the religious Society of Friends,' passed April 17, 1839.'"

G. O. 199, No. 177, "An act to amend chapter 505 of the Laws of 1873, entitled 'An act to reorganize the village of Gloversville,' passed May 14, 1873." [With amendments.]

G. O. 251, No. 218, "An act authorizing the common council of the city of Buffalo to raise and appropriate money for the poor fund."

G. O. 154, No. 138, "An act to authorize the railway commissioners of the town of Skaneateles to sell and convey the stock owned by said town in the Skaneateles railroad, and to provide for the disposition of the proceeds thereof."

Senate, G. O. 200, No. 25, "An act to amend sections 81 and 82 of article 4, title 1 of part 1 of chapter 16 of the Revised Statutes."

Senate, G. O. 201, No. 26, "An act to amend chapter 69 of the Laws of 1873, entitled 'An act requiring commissioners of highways to give notice of the discontinuance of public highways.'"

G. O. 269, No. 230, "An act to amend article 5 of title 1, chapter 16 of part 1 of the Revised Statutes."

G. O. 156, No. 140, "An act to amend chapter 104 of the Laws of 1877, entitled 'An act to authorize the treasurer of Monroe county to sell property for unpaid taxes.'"

G. O. 129, No. 112, "An act to amend an act entitled 'An act amending and revising and consolidating the several acts in relation to the village of Greenbush, passed March 22, 1854, and April 29, 1863, passed April 25, 1871,' passed April 26, 1876." [With amendments.]

G. O. 252, No. 219, "An act in relation to the redemption of lands in the city of Yonkers from sales for unpaid taxes and assessments."

G. O. 88, No. 76, "An act to create a board of pharmacy and to regulate the sale of medicine in Kings county." [With amendments.]

Senate, G. O. 273, No. 100, "An act to incorporate the American Jersey Cattle Club, for improving the breeding of Jersey cattle in the United States."

The question being on agreeing to said report,

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills ordered to a third reading.

Mr. Brooks called from the table a preamble and resolution, previously offered by him, in the words following :

Whereas, It is stated by the president of the Wine and Spirit Traders' Society of the city of New York, that sixty millions of dollars are expended each year in the bar-rooms of the city of New York, in some 8,000 inns, taverns and saloons ; and

Whereas, A direct tax upon this enormous consumption of spirituous and malt liquors would result in adding several hundred thousand dollars, if not some millions of dollars, to the city treasury ; and

Whereas, It is just and equitable that the consumers of alcoholic and other liquors should contribute largely and directly to the support of the government ; be it, therefore,

Resolved, That the committee on cities be requested to examine and report upon the expediency of substituting, in the city of New York, what is known as the "Moffat law of Virginia," for the New York law of 1857, and all other laws regulating the sale of liquors ; said Moffat law imposing a tax of two and one-half cents upon each alcoholic drink, and one-half cent upon each glass of ale, beer or porter, with a specific license to sell the same, and with the penalty of imprisonment or fine, or both, for each violation of the law, whether on the part of officials neglecting their duty, or on the part of persons licensed to register their sales ; the chief objects of this inquiry being to reduce both the taxes and debt of the city of New York, and at the same time to promote the cause of temperance.

Debate arising thereon,

Mr. Meyenborg moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put ?" and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the following entitled bills, with a message that they had concurred in the passage of the same :

"An act to amend chapter 263 of the Laws of 1873, entitled 'An act to amend chapter 334 of the Laws of 1869, entitled An act to consolidate and amend the several acts relating to the village of Jamestown, and to enlarge the powers of the corporation.'"

"An act to amend section 3 of chapter 564 of the Laws of 1875, entitled 'An act to amend chapter 122 of the Laws of 1851, entitled An act for the incorporation of building, mutual loan and accumulating fund associations,' passed June 9, 1875."

"An act to authorize the religious society in the city of New York, known as the Congregation Rodef Scholem, to buy, hold, and dispose of land for cemetery purposes"

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Alvord, and at 1 o'clock and 45 minutes, the House adjourned.

MONDAY, APRIL 1, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Frank Smith.

The journal of Friday, March 29, was read and approved.

A message from the Senate was received and read informing of concurrence in the passage of the resolution entitled as follows :

"*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of the Assembly bill (not printed) entitled 'An act to authorize the extension of the time for the collection of taxes in Wayne county,' for amendment."

Ordered, That the Clerk deliver said resolution to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

"An act to legalize the execution of a certain conveyance by the Kips Bay Methodist Episcopal Church of the city of New York."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Kellogg introduced a bill entitled "An act to confirm the election of trustees of the village of Marathon, in the county of Cortland, and to provide for and determine by lot their respective terms of office," which was read the first time, and by unanimous consent was also read the second time.

Also, presented a petition on the same subject; and,

On motion of Mr. Kellogg, and by unanimous consent, said bill was ordered to a third reading.

Mr. Day introduced a bill entitled "An act in regard to the powers of the associate rector of St. Paul's Church in the city of Buffalo, county of Erie and State of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Day, and by unanimous consent, said bill was ordered to a third reading.

Mr. Grady introduced a bill entitled "An act for the protection of graves in cemeteries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. D. W. C. Peck introduced a bill entitled "An act to amend chapter 436 of the laws of 1877, entitled 'An act in relation to county treasurers,' so far as the same relates to the county of Oswego," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Niven introduced a bill entitled "An act to amend chapter 664, Laws of 1873, entitled 'An act to organize the village of Monticello into a separate school district, and to provide for the purchase of a site and erection of a school edifice,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Also, a bill entitled "An act to prohibit justices of the peace from commencing actions before themselves on claims left with them for collection, or about which they have given counsel," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to repeal chapter 449 of the Laws of 1867, entitled 'An act to incorporate the village of Douglas,' and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Valentine introduced a bill entitled "An act for the preservation and protection of fish in the counties of Cayuga, Seneca and Wayne," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Berry called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 326, No. 281, "An act to amend chapter 42 of the Laws of 1856, entitled 'An act to incorporate the College of Pharmacy of the city of New York,' passed March 20, 1856."

G. O. 309, No. 264, "An act for the incorporation of district No. 1 of the Independent Order of Benai Berith, and to authorize other corporations and corporated societies or other associations to give and transfer property to, or wholly to consolidate with the corporation hereby created."

G. O. 343, No. 298, "An act to authorize the city of Brooklyn to pay to John McCloskey the proper cost of any temporary sewer or drain in Hicks street, connecting with Hamilton avenue sewer, constructed by said McCloskey under a resolution of award of the common council of said city, passed October 25, 1869."

G. O. 146, No. 131, "An act in relation to the Board of police surgeons and the members thereof, of the city of Brooklyn."

G. O. 259, No. 224, "An act to amend chapter 373 of the Laws of 1866, entitled 'An act to authorize any town in the county of Columbia or Rensselaer to aid in the completion of the Lebanon Springs railroad.'"

Senate, G. O. 366, No. 95, "An act for the protection of dairymen and dealers in milk, and to prevent deception in the sale of milk."

Senate, G. O. 243, No. 65, "An act to provide for the review and correction of illegal, erroneous and unequal assessments."

G. O. 313, No. 268, "An act to amend chapter 786 of the Laws of 1867, entitled 'An act to incorporate the village of Lima, Livingston county.'"

Senate, G. O. 307, No. 83, "An act to confer on boards of supervisors of Chautauqua county authority to protect ducks and fish in all the waters within the territorial jurisdiction of said county."

G. O. 168, No. 149, "An act to authorize the commissioners for the erection of a city and county hall in the city of Buffalo and county of Erie, to assign a portion of said building for the use of the coroners of said county."

G. O. 346, No. 301, "An act to amend an act relative to the construction of sewers in a certain district in the city of Brooklyn, and providing for the laying of an assessment for sewers in said district, passed June 21, 1875."

G. O. 350, No. 308, "An act to authorize the maps and surveys of the commissioners appointed by the President of the United States, in pursuance of the act of Congress, approved February 19, 1875, to survey, locate and establish proper boundaries and limits of the villages of Vandalia, Carrolton, Great Valley, Salamanca and Red House to be received in evidence, and for other purposes." [Reported adversely.]

G. O. 317, No. 271, "An act authorizing the courts of oyer and terminer and the courts of sessions of Saratoga county to direct payment of clerk hire in certain cases."

G. O. 321, No. 275, "An act to repeal chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the drainage of swamps, marshes, and other low or wet lands, and for draining lands;' also, chapter 303 of the Laws of 1876, entitled 'An act to amend the act entitled An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the draining of swamps, marshes, and other low or wet lands, and for draining farm lands.'" [With amendments.]

G. O. 312, No. 267, "An act conferring additional powers upon the board of trustees of the village of Havana, county of Schuyler."

G. O. 272, No. 233, "An act providing for reports of births, marriages and deaths, the registry of vital statistics and regulations of interments."

G. O. 227, No. 197, "An act to amend chapter 325 of the Laws of 1874, entitled 'An act to incorporate the village of Bath-on-the-Hudson, Rensselaer county, New York,' passed May 5, 1874, and the act amendatory thereof, being chapter 284 of the Laws of 1876, entitled 'An act to amend chapter 325 of the Laws of 1874, entitled An act to incorporate the village of Bath-on-the-Hudson, Rensselaer county, New York, passed May 5, 1874,' passed May 15, 1876."

G. O. 322, No. 277, "An act to amend the act passed April 3, 1867, chapter 248, entitled 'An act to amend the act passed April 17, 1860, chapter 269, entitled An act to amend the act entitled An act to authorize the formation of companies for manufacturing, mining, mechanical and chemical purposes,' passed February 17, 1848."

The question being on agreeing to said report,

Mr. Speaker put the question whether the House would agree to said report, excepting so much thereof as relates to Senate bill, No. 65; also, Assembly bill No. 224, and it was determined in the affirmative.

Mr. Thomson moved that Senate bill, No. 65, be recommitted to the committee of the whole.

Debate arising thereon,

Mr. Thain moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Thomson, and it was determined in the affirmative.

Mr. Burns moved that Assembly bill, No. 224, be excepted from said report, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bills were then ordered to a third reading.

Mr. Speaker put the question whether the House would agree to the adverse report of the sub-committee of the whole relative to Assembly bill No. 308, and it was determined in the affirmative.

Messrs. Gilbert, Wakely, Searing and Abbott presented petitions sustaining the Governor's veto of the Code of Civil Procedure; which were read and laid upon the table.

Messrs. King and Williams presented petitions for the enactment of a law creating a board of railroad commissioners; which were read and referred to the committee on railroads.

Mr. Berry presented a petition of citizens of Chenango county for the establishment of a State paper to be sent free to every family in the State; which was read and referred to the committee on ways and means.

Mr. Wakely presented petitions of residents of the Genesee Valley, asking that the Genesee Valley canal may be sold for railroad purposes; which were read and referred to the committee on canals.

Mr. Valentine presented a petition of citizens of Wayne county, in regard to the Clyde and Rose plankroad; which was read and referred to the committee on roads and bridges.

Mr. Waring presented a petition of citizens of Brooklyn in favor of the passage of a bill for the better administration of the public charities of Kings county; which was read and referred to the committee of the whole.

Mr. Berry presented a petition of members of the Ancient Order of United Workmen, for an amendment to their charter; which was read and referred to the committee on general laws.

Mr. I. I. Hayes presented a memorial of the New York Academy of Medicine of New York, in relation to public parks; which was read and referred to the committee on affairs of cities.

Mr. Thain presented a resolution of the committee appointed by the Medico-Legal Society to consider the bill entitled "An act for the better security of personal liberty;" which was read and referred to the committee on public health.

M. De Witt C. Peck presented a remonstrance and memorial in relation to the bill regulating the practice of dentistry; which were read and referred to the committee on the judiciary.

Mr. Williams presented a petition of citizens of Chautauqua county, for the passage of an act for the formation of mutual insurance companies; which was read and referred to the committee on insurance.

Also, a petition of citizens of Chautauqua county, for an amendment to the assessment laws; which was read and referred to the committee on ways and means.

Mr. Burns called from the table a resolution, previously offered by him, in the words following:

Resolved, That the Superintendent of Prisons be requested to report to this House within ten days, the parties to, terms and conditions of, each and every contract for convict labor (now in force) in the State prisons or other reformatory institutions over which he has control, stating the number of convicts employed at each prison or reformatory institution under each contract separately.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Burns called from the table a resolution, previously offered by him, in the words following:

Resolved, That a respectful message be sent to the Attorney-General, requesting him to give to this House his opinion:

1st. Whether, under the act now as chapter 107 of the Laws of 1877, entitled "An act in relation to the Superintendent of State Prisons, and for the more efficient and economical management of said prisons," and acts amendatory thereof, the Superintendent of State Prisons has the power to contract for the State, for prison labor, and what, if any, limitation there is of time to such contracts.

2d. Whether, under any law of the State, the said Superintendent is authorized to expend the moneys of the State in the erection of buildings and factories for the employment of convict labor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. I. I. Hayes offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 286, entitled "An act to secure better public administration in the local government of the city of New York," be made a special order immediately after the disposition of the special order hitherto made for Tuesday, April 2.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Baker offered, for the consideration of the House, resolutions in the words following:

Resolved, That the railroad committee of this House be and it is hereby authorized and directed to inquire as to what legislation, if any, is necessary to compel the street railway companies in the city of New York to pay to said city their several license fees, and to report to this House, by bill or otherwise, the result of their inquiries, within fifteen (15) days; and be it further

Resolved, That for the purposes of said inquiry, the said railroad committee is hereby authorized to send for persons and papers, and to use the subpoenas of the House to compel the attendance of witnesses.

Debate arising thereon,

Ordered, That said resolutions be laid upon the table.

Mr. Strack offered, for the consideration of the House, a resolution in the words following:

Resolved, That the surrogate of the county of New York be and he is hereby required to report to this House, within ten days, the names of all auditors, referees, special guardians, collectors and receivers appointed by him from May 1, 1876, to the date of his report; and if he has appointed any person more than once, he shall so state, giving number of times he has so appointed such person; and he is hereby required to report, within the same period, the amount of all allowances made by him to counsel, referees, receivers, auditors, special guardians, and to

the counsel of any collector or receiver ; said report to state the names of the persons to whom such allowances have been made.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. I. I. Hayes offered, for the consideration of the House, a resolution in the words following :

Resolved (if the Senate concur), That 400 copies of the Report on the Tolls, Trade and Tonnage of the Canals for the calendar year of 1877, and 100 copies of the Auditor's Expenditure Report for the fiscal year ending 30th September, 1877, be printed for the use of the Auditor of the Canal Department.

Ordered, That said resolution be referred to the committee on public printing.

Mr. I. I. Hayes offered, for the consideration of the House, a resolution in the words following :

Resolved (if the Senate concur), That our representatives in the Senate and House of Representatives, in Congress, at Washington, be and are hereby urged and requested to use their efforts to secure the passage of the proposed act, now before Congress, contemplating the removal of obstructions in Harlem river and Spuyten Duyvil creek, in order that a connection for navigation may be opened between the North and East rivers.

Ordered, That said resolution be laid upon the table.

Mr. I. I. Hayes offered, for the consideration of the House, a preamble and resolution in the words following :

Whereas, It has been alleged that special contracts or agreements for work and supplies for the corporation of the city of New York, involving the expenditure of thousands of dollars from the city treasury, have been made by the department of public works for several years without public letting or competition, and that large sums of money have been misapplied and wasted by extravagant prices paid therefor, greatly in excess of the market rates ; and,

Whereas, Owners of property and tax-payers largely interested in an honest and economical administration of the municipal government of the said city, condemn and are opposed to the system of special contracts, and protest against the abuses practiced under it ; therefore,

Resolved, That the commissioner of public works of the city of New York, be and he is hereby directed to report to this House within five days, a list of the works prosecuted under special contracts or agreements in that department, without public letting, during each of the past six years, whether involving the expenditure of less than \$1,000, or a larger amount, the names of the persons to whom such contracts or agreements have been given, and by whom given, the works completed and incomplete, and the amounts paid thereon, and the balance due, if any, remaining unpaid. And the said commissioner is requested to include in such report his estimate of the proper and reasonable cost of such work, provided that the same could have been done at public letting or competition, after due advertisement, and his opinion as to what amendments are necessary to existing laws to prevent the abuses under special contracts without public letting, of which the tax-payers complain.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Chappell moved that the Assembly bill, entitled "An act to amend the charter of the city of Rochester and to change its boundaries," be

recommitted to the committee on affairs of cities, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Niven offered, for the consideration of the House, a resolution in the words following :

Resolved, That Senate bill No. 65, entitled "An act to provide for the review and correction of illegal, erroneous and unequal assessments," be reprinted to conform with the same as it is now before this House, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The privileges of the floor were granted to Hon. James M. Humphrey. Leave of absence was granted to Mr. Hepburn.

Mr. Speaker announced order of business third reading of bills.

Mr. Alvord moved to lay said order of business upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate sent for concurrence the bill entitled as follows :

"An act to provide for the incorporation of pipe line companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hurd moved to discharge the committee on the judiciary from the further consideration of said bill, and that the same be substituted for the Assembly bill on the same subject now on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Holahan offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill No. 283, entitled "An act to amend chapter 175 of the laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members elected to the Assembly not voting in favor thereof.

Mr. Speaker announced the order of business, general orders.

Mr. Alvord moved that hereafter a bill having been called three times and not moved, it shall go on the foot of the calendar of general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House resolved itself into a committee of the whole on the bills entitled as follows :

"An act to provide against the use of unsuitable and dangerous telegraph poles in the city of New York."

"An act to amend chapter 37 of the Laws of 1848, entitled 'An act to authorize the formation of gas-light companies.'"

"An act to amend section 1 of chapter 381 of the Laws of 1873, entitled 'An act for the preservation of fish in waters lying within or bordering upon the counties of Schuyler, Steuben, Chemung, Seneca, Yates and Ontario.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Terry from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Terry, from the same committee, also reported in favor of the passage of the second and last named bills, with amendments, which report was agreed to, and said bills ordered engrossed for a third reading.

On motion of Mr. De Witt C. Peck, and at 9 o'clock and 30 minutes, the House adjourned.

TUESDAY, APRIL 2, 1878.

The House met pursuant to adjournment.

Prayer by Rev. James Haughton.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was recommitted (retaining its place on general orders) the bill introduced by the committee on ways and means, Int. No. 589, entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill re-committed to the committee of the whole.

Mr. Alvord moved that said bill be made a special order for Thursday morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. D. W. C. Peck, Int. No. , entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,' so far as the same relates to the county of Oswego," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Brooks, Int. No. 763, entitled "An act to authorize and direct the Comptroller to receive, audit and credit to the county treasurer of the county of Richmond, arrears of taxes upon lands of non-residents in said county, for the years 1873, 1874, 1875 and 1876," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Brooks, and by unanimous consent, said bill was ordered to a third reading.

A message was received and read from the Governor in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 1, 1878. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, I return for amendment the Assembly bill, not printed, entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of Wayne county."

L. ROBINSON.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOYT	J. H. MILLER	ROWLAND
ALLEN	CORMACK	HULME	MOLLER	SAWYER
ALVORD	CRANDALL	HURD	MOOERS	SEARING
ANDREWS	CROWLEY	JONES	NEILSON	SHEARD
ASTOR	CURRAN	KEATOR	NELSON	SHELDON
BAKER	DALY	KEEGAN	NIVEN	SKINNER
BATHE	DAY	KELLOGG	NOYES	STRACK
BEARD	DEYOE	KERN	PALMER	J. T. TAYLOR
BERRIGAN	FISH	KING	PATTENGILL	THAIN
BERRY	FLOYD-JONES	LANGNER	DEWITT C. PECK	THOMSON
BROOKS	FOSTER	LOVELAND	PEEK	TOWNSLEY
BRUNDAGE	GALVIN	LOWING	PIPER	VALENTINE
CASE	GILBERT	MAPES	POOL	WAKELY
CHAPPELL	GRIGGS	MATTISON	PRESCOTT	WHEELER
CHASE	I. I. HAYES	MCDONOUGH	PROPER	WILLIAMS
CLANCY	J. HAYES	MEAD	PURDY	WILLIS
CLAPP	HOBBIE	MEKEEL	REYNOLDS	WINCH
J. M. CLARK				

On motion of Mr. Valentine, and by unanimous consent, said bill was amended in the words following :

Section 1, line 7, strike out the word "Monday," and insert the words "day of May, eighteen hundred and seventy-eight."

On motion of Mr. Parker, and by unanimous consent, said bill was amended as follows :

Section 1, line 2, after the word "in," insert the words "the counties of."

After the words "Wayne and Chautauqua," strike out the word "county," and insert in lieu thereof the word "counties."

After the word "counties," insert the word "respectively."

Same section, line 20, after the word "of," insert the words "each of the," and the word "county" should read "counties."

Section 2, line 4, after the word "treatment," insert the words "each of said counties."

Wherever the word "county" occurs, change so as to read "counties."

Amend the title by inserting after the word "towns," the words "in the counties of."

After the word "Wayne," insert the words "and Chautauqua."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	J. M. CLARK	HOYT	S. V. R. MILLER	SAWYER
ALLEN	CONVERSE	HULME	MOLLER	SEARING
ALVORD	CORMACK	HURD	MOOERS	SHEARD

ANDREWS	CRAWFORD	JONES	NIVEN	SKINNER
ASTOR	CROWLEY	KEATOR	NOYES	STORY
BAKER	CURRAN	KEEGAN	PALMER	STRACK
BATHE	DALY	KELOGG	PARKER	J. T. TAYLOR
BEARD	DEYOE	KERN	PATTENGILL	TERRY
BERRIGAN	FISH	KING	PATTERSON	THAIN
BERRY	FLOYD-JONES	LANGNER	DEWITT C. PECK	THOMSON
BROOKS	FOSTER	LOVELAND	PEEK	TOWNSLEY
BRUNDAGE	GALVIN	LOWING	POOL	VALENTINE
CASE	GRIGGS	MAPES	PROPER	WHEELER
CHAPPELL	I. I. HAYES	MATTISON	PURDY	WILLIAMS
CHASE	J. HAYES	MEAD	REYNOLDS	WILLIS
CLANCY	HOBBIE	MEKEEL	ROWLAND	WINCH
CLAPP	HOLBROOK			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence the bills entitled as follows :

"An act authorizing the adult male Seneca Indians, residing upon the Cornplanter reservation, to vote and hold office under the Constitution of the Seneca nation of Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to evidence in civil and criminal cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate returned the following entitled bill, with a message that they had concurred in the passage of the same :

"An act to provide for the payment of bonds heretofore issued by the village of Middletown, in the county of Orange, and to create a sinking fund therefor."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Astor, from the committee of conference appointed by the Senate and Assembly, to which was referred the matter in difference between the two Houses upon the Senate bill entitled "An act to amend chapter three hundred and twenty-eight of the Laws of eighteen hundred and sixty-eight, entitled 'An act to amend and continue in force an act entitled An act to incorporate an association for the relief of respectable aged indigent females in the city of New York,' passed March tenth, eighteen hundred and fifteen, and the acts continuing in force and amending the same," having met, and duly considered the same, have agreed to recommend that section 1 of said bill shall read as follows :

"Section 1. Section one of chapter three hundred and twenty-eight of the Laws of eighteen hundred and sixty-eight, entitled 'An act to amend and continue in force an act entitled An act to incorporate an association for the relief of respectable aged indigent females in the city of New York,' passed March tenth, eighteen hundred and fifteen, and the acts continuing in force and amending the same," is hereby amended so as to read as follows :

"Section 1. So much of the first section of the act entitled 'An act to incorporate an association for the relief of respectable aged indigent females in the city of New York,' passed March tenth, eighteen hundred and fifteen," as amended by the act of April fourteenth, eighteen hundred and sixty, as limits the amount of real and personal property which the said association may hold, to three hundred thousand dollars, is hereby repealed, and the said association is hereby authorized to hold

real and personal property to an amount not exceeding seven hundred and fifty thousand dollars.

"§ 2. This act shall take effect immediately."

W. W. ASTOR,
CHAS. R. SKINNER,
B. D. CLAPP,
D. WILLERS. JR.,

IRA DAVENPORT,
GEO. RAINES,
EDWIN HICKS,

Committee of the Senate.

Committee of the Assembly.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HULME	NEILSON	SKINNER
ALLEN	CORMACK	HURD	NELSON	SLITER
ALVORD	COSAD	JONES	NIVEN	STORY
ANDREWS	CRANDALL	KEATOR	NOYES	STRACK
ASTOR	CRAWFORD	KEEGAN	PALMER	E. TAYLOR
BAKER	CURRAN	KELLOGG	PATTENGILL	J. T. TAYLOR
BATHE	DALY	KERN	PATTERSON	THAIN
BEARD	DEYOE	KING	DEWITT C. PECK	THOMSON
BERRIGAN	FISH	LANGNER	PEEK	TOWNSLEY
BERRY	ELYOD-JONES	LOVELAND	POOL	VALENTINE
BROOKS	FOSTER	LOWING	PURDY	WAKELY
BROWNING	GRIGGS	MATTISON	REYNOLDS	WARING
BRUNDAGE	HAMILTON	MCDONOUGH	SAWYER	WHEELER
CASE	I. I. HAYES	MEAD	SEARING	WILBOR
CHAPPELL	HOBBIE	MEKEEL	SEEBACHER	WILLIAMS
CHASE	HOLAHAN	J. H. MILLER	SHEARD	WILLIS
CLAPP	HOLBROOK	S. V. R. MILLER	SHELDON	WINCH
J. M. CLARK	HOYT			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the committee of conference thereon.

The Senate returned the bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of Wayne county," with a message that they had reconsidered the vote on the final passage of the bill, and had passed the same, as amended by the Assembly.

Ordered, That the Clerk return said bill to the Senate.

Mr. Speaker announced the special order of the day being the Assembly bill entitled "An act relating to the fees, percentages, allowances or salaries of public officers, a charge against or payable from the treasury of the respective cities of the State."

The House then resolved itself into a committee of the whole on the above named bill, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hurd, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

On motion of Mr. Fish, and by unanimous consent, said bill was ordered to a third reading.

Said bill having been announced for a third reading,

Mr. Daly moved to recommit said bill to the committee on affairs of cities, with instructions to amend the same by inserting, after the word

"treasury," in section 3, line 10, the words "other than the salaries of policemen, firemen, and teachers in the grammar, primary, colored, and evening schools now employed," said amendment having been offered in the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows :

AYES 29.

NOES 75.

Those who voted in the affirmative, were

ALLEN	J. CLARK	GILBERT	JONES	STRACK
BEARD	CONVERSE	GRAHAM	LOVELAND	J. T. TAYLOR
BERRY	CURRAN	HAMILTON	MAPES	TOWNSLEY
BROWNING	DALY	I. I. HAYES	MCDONOUGH	WILLIAMS
CASE	FITZGERALD	J. HAYES	NIVEN	WINCH
CHASE	FOSTER	HENRY	PURDY	

Those who voted in the negative, were

ABBOTT	DEYOE	KELLOGG	PATTENGILL	SHEARD
ALVORD	DOUGLASS	KERN	PATTERSON	SHELDON
ANDREWS	FISH	KING	DEWITT C. PECK	SKINNER
ASTOR	FLOYD-JONES	LANGNER	PEEK	SLITER
BATHE	FRANK	LOWING	PIPER	STORY
BERRIGAN	GALVIN	MATTISON	POOL	SUTHERLAND
BOUCK	GRADY	MEAD	PRESCOTT	E. TAYLOR
BROOKS	GRIGGS	MEKEEL	PROPER	TERRY
BRUNDAGE	HOBBIE	J. H. MILLER	REYNOLDS	THAIN
CLANCY	HOLAHAN	S. V. R. MILLER	ROWLAND	THOMSON
J. M. CLARK	HOLBROOK	MOOERS	SAWYER	VALENTINE
CORMACK	HOYT	MEYENBORG	SEARING	WARING
COSAD	HULME	NELSON	SEEBACHER	WHEELER
CRANDALL	KEATOR	NOYES	SEWELL	WILBOR
CRAWFORD	KEEGAN	PARKER	SHANLEY	WILLIS

When the name of Mr. Hurd was called, he stated that he was paired with Mr. Flynn.

When the name of Mr. North was called, he stated that he was paired with Mr. C. C. Peck.

Mr. Graham moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill by inserting after the word "Brooklyn," the words "the city of Newburgh," and report forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 98.

NOES 11.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOYT	NOYES	SHELDON
ALLEN	CRANDALL	KEATOR	PALMER	SKINNER
ALVORD	CRAWFORD	KEEGAN	PARKER	SUTHERLAND
ANDREWS	CROWLEY	KELLOGG	PATTENGILL	E. TAYLOR
ASTOR	CURRAN	KERN	PATTERSON	J. T. TAYLOR
BATHE	DALY	KING	DEWITT C. PECK	TERRY
BEARD	DEYOE	LANGNER	PEEK	THAIN
BERRIGAN	DOUGLASS	LOVELAND	PIPER	THOMSON
BERRY	FISH	LOWING	POOL	TOWNSLEY
BOUCK	FLOYD-JONES	MAPES	PRESCOTT	VALENTINE
BROOKS	GALVIN	MATTISON	PROPER	WAKELY

BRUNDAGE	GILBERT	MEAD	REYNOLDS	WARING
CASE	GRADY	MEKEEL	ROWLAND	WEMPLE
CHAPPELL	GRIGGS	J. H. MILLER	SAWYER	WHEELER
CHASE	HAMILTON	S. V. R. MILLER	SEARING	WILBOR
CLANCY	I. I. HAYES	MOOERS	SEBACHER	WILLIAMS
CLAPP	HENRY	MEYENBORG	SEWELL	WILLIS
J. M. CLARK	HOBBIE	NEILSON	SHANLEY	WINCH
CONVERSE	HOLAHAN	NELSON	SHEARD	WORTH
CORMACK	HOLBROOK	NIVEN		

Those who voted in the negative, were

BROWNING	FITZGERALD	J. HAYES	JONES	PURDY
BURNS	FOSTER	HULME	MCDONOUGH	STRACK
J. CLARK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Terry called from the table the majority report of the committee on privileges and elections in the matter of the claim of Charles H Duell to the seat of John Clark, in words following :

To the Honorable the Assembly of the State of New York :

The standing committee on privileges and elections, to whom was referred the petition of Charles H. Duell, claiming the seat as member of Assembly from the thirteenth Assembly district in the city and county of New York, now occupied by John Clark, respectfully

REPORT

That your committee have held several meetings in the cities of Albany and New York, have taken a large amount of testimony, examined over 120 witnesses, and listened to long and exhaustive arguments from the counsel for the contestant and sitting member.

This contest turns upon the allegations and specifications contained in the petition of the contestant, and the answer of the sitting member that the sitting member and the contestant had cast and counted for them a large number of illegal ballots by persons voting on fraudulent naturalization papers.

There were three candidates for Assembly in this district, John Clark (Tammany Democrat), Charles H. Duell (Republican and Anti-Tammany) and John D. McLean (Hayes Republican).

The vote, as counted and declared by the board of county canvassers, was as follows :

For John Clark	2,581
For Charles H. Duell	2,567
For John D. McLean.....	269
Scattering, blank and defective.....	26

Thus giving the sitting member over the contestant a plurality of 14 votes.

The evidence taken by your committee principally relates to the manner in which aliens were naturalized in various years, more especially in the Supreme and Superior Courts of the city of New York in the year 1868. We believe there is no evidence before us to sustain the allegations of illegal naturalizations in any year, or in any courts other than in the Supreme and Superior Courts of the city of New York during the year 1868, and we therefore confine our report to the evidence relating to that year.

The question is not a new one. In this State, in the year 1868, there occurred a series of frauds upon the elective franchise so unusual and

overwhelming as to challenge the attention of the country, and in the light of subsequent developments, we think no one will now be found to defend them.

These frauds have been investigated in several election cases, the most notable being those of Van Wick agst. Greene, in the 41st Congress, and the case of McLeod agst. Halpine, in the Assembly of 1869.

The evidence in this case shows that 97 persons voted in this district, at the late election, whose only right to vote was based upon certificates of naturalization, granted by the Supreme and Superior Courts of the city of New York in 1868. Of that number, 64 voted for the sitting member, 24 for the contestant; and that the balance should not be counted against either party to this contest.

The evidence in regard to the method of naturalization, adopted by those courts in 1868, does not conflict.

It is undisputed that 10,000 certificates of naturalization were issued in about two weeks by one judge in the Supreme Court, and that 18,000 were issued in the Superior Court during the month of October.

The testimony also shows that a large number of certificates of naturalization were granted to parties, whose names, even, do not appear on the court lists.

The evidence in regard to these particular cases, shows that it was very easy for an alien to be changed into a citizen in those courts in that year. Witnesses were readily obtained to swear that the applicant had been in the United States and the State of New York the requisite time, and had demeaned himself as a good citizen.

In these naturalization papers appear several times the familiar names of James Goff, John Ward, Garratt Dillon, James McCabe, John Moran and Owen Gannon.

Under these circumstances, it is not strange that ten of the witnesses before your committee, were not acquainted with the names of these pretended witnesses, or had known them a shorter time than the law required.

Of the 97 persons voting upon these certificates, 66 are claimed to have come to this country before they were 18 years of age, and, therefore, could be naturalized on what are known as Minor Papers.

When we come to the proof, and examine these witness, 37 of the number admit this was not true.

Four testify that they had not lived five years in the United States, at the time of the alleged naturalization, as required by law; and two that they never went to court for their papers; and two that they were never sworn in court.

At least 30 of the affidavits found on file in the clerk's office are either signed when the evidence of the parties themselves shows that they could not write, or that the signatures are not theirs, or they are signed by mark when the party could write.

But we deem it unnecessary to enlarge upon the facts to show how utterly the law was disregarded in the issuing of these illegal certificates, as the result at which we have arrived would not be materially changed thereby.

There is a fatal defect which vitiates all these certificates, viz.: that there are no minutes or records showing any proceeding in naturalization, or any judgment of the court in any of the cases before us in either of those courts in the year 1868.

The courts of the United States and of this State have laid down the following as the law in naturalization proceedings: That the proceeding is a judicial one; that the powers conferred upon and exercised by the courts are judicial and not ministerial; that the determination of the court is the judgment of the court; and that the right of citizenship can only be conferred by the judgment of the court. Hence it follows that the certificates are void, there being no record of any proceeding or judgment of the court. The only certificate known to the law is a certified copy of the record of the naturalization, and if a certificate is issued where no record exists, the certificate clearly has no validity or life.

The affidavits on file in the courts are, aside from their falsity, of no validity to sustain the alleged proceedings, for the law does not authorize the court to receive affidavits, and such affidavits are incompetent and inadmissible as evidence. No one making such an affidavit could be convicted of perjury, no matter how false it might be. Because some of these men may have been entitled to naturalization, is no reason why the fraudulent manner in which these certificate were issued should be overlooked. For surely it is not the *right* to naturalization, but naturalization itself, awarded by the proper judgment of a court of competent jurisdiction, and this alone, that gives citizenship, and with it a right to vote under the Constitution and laws.

Your committee have no doubt that in contested election cases, legislative bodies have an absolute power to inquire into the right of a party to vote, when that right is based upon an alleged certificate of naturalization, and decisions in the Congress of the United States and the Senate and Assembly of this State, sustain the position.

If the naturalization of persons, who desire to become citizens of this country, is to be conducted according to law, both National and State, then not one of these men, who are shown to have voted in this district, on certificates of naturalization, issued in the Supreme and Superior courts of the city of New York, in 1868, were naturalized according to law.

It is essential for the protection of both the government and aliens, that the safeguards which the laws of the United States have thrown around the granting of the right of American citizenship, should be preserved; and so believing, your committee have rejected the votes cast by these men.

In the face of these facts, and the law, it is impossible to arrive at any different conclusion.

And your committee find that the sitting member now occupies his seat in the Assembly of the State of New York, by virtue of votes cast by those who were not legally entitled to vote. That 64 votes should be deducted from the vote allowed by the board of canvassers for John Clark; and that 24 votes should be deducted from the votes allowed by the board of canvassers for Charles H. Duell. The result will be to give a majority of 26 for Charles H. Duell.

Your committee therefore find that John Clark is not entitled to the seat he now occupies in this House, and recommend the adoption of the following resolution:

Resolved, That Charles H. Duell was duly elected member of Assembly from the Thirteenth Assembly district of the city of New York, at the

election held therein, on the 6th day of November, 1877, and that he is entitled to the seat now occupied by John Clark.

All of which is respectfully submitted.

GEO. L. TERRY,
S. B. KERN,
C. D. PRESCOTT,
HAMILTON FISH, JR.,
JAMES G. GRAHAM,
Committee.

Dated *March 20, 1878.*

Mr. Grady moved to postpone the further consideration of said report until to-morrow morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows :

AYES 55.

NOES 58.

Those who voted in the affirmative, were

ALLEN	CONVERSE	FRANK	MAPES	PROPER
BAKER	CORMACK	GALVIN	MCDONOUGH	SEARING
BATHE	COSAD	GRADY	MEAD	SEEBACHER
BEARD	CRAWFORD	HAMILTON	MOLLER	SHANLEY
BERRIGAN	CURRAN	J. HAYES	MEYENBORG	SLITER
BOUCK	DALY	HENRY	NELSON	STRACK
BROOKS	DAY	HOLAHAN	NELSON	J. T. TAYLOR
BROWNING	DOUGLASS	KEEGAN	NIVEN	THAIN
BURNS	FITZGERALD	KELLOGG	PATTENGILL	THOMSON
CLANCY	FLOYD-JONES	LANGNER	PATTERSON	TOWNSLEY
J. CLARK	FOSTER	LOVELAND	PIPER	WEMPLE

Those who voted in the negative, were

ABBOTT	DEYOE	KEATOR	PEEK	TERRY
ALVORD	FISH	KERN	POOL	VALENTINE
ANDREWS	GILBERT	KING	REYNOLDS	WADSWORTH
ASTOR	GRAHAM	LOWING	ROWLAND	WAKELY
BERRY	GRIGGS	MATTISON	SAWYER	WARING
BRUNDAGE	I. I. HAYES	MEKEEL	SEWELL	WHEELER
CASE	HOBBIE	J. H. MILLER	SHEARD	WILBOR
CHAPPELL	HOLBROOK	S. V. R. MILLER	SHELDON	WILLIAMS
CHASE	HOYT	MOOERS	SKINNER	WILLIS
CLAPP	HULME	NOYES	SUTHERLAND	WINCH
J. M. CLARK	HURD	PALMER	E. TAYLOR	WORTH
CRANDALL	JONES	DEWITT C. PECK		

When the name of Mr. Parker was called, he stated that he was paired with Mr. Havens.

Mr. Prescott stated that he was paired with Mr. Rowland.

Mr. Purdy stated that he was paired with Mr. Hepburn.

Mr. North stated that he was paired with Mr. C. C. Peck.

Mr. Grady moved to recommit said report to the committee on privileges and elections, with instructions to insert in said report the names of the sixty-four men who voted for the sitting member Mr. Clark, who held fraudulent naturalization papers.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Brooks moved to take a recess until half-past four o'clock this afternoon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows :

AYES 55.

NOES 58.

Those who voted in the affirmative, were

ALLEN	CONVERSE	GALVIN	MCDONOUGH	PROPER
BAKER	CORMACK	GRADY	MEAD	SEARING
BATHE	COSAD	HAMILTON	MEKEEL	SEEBACHER
BEARD	CRAWFORD	J. HAYES	MOLLER	SHANLEY
BERRIGAN	CURRAN	HENRY	MEYENBORG	SLITER
BOUCK	DALY	HOLAHAN	NEILSON	STRACK
BROOKS	DAY	KEEGAN	NELSON	J. T. TAYLOR
BROWNING	DOUGLASS	KELOGG	NIVEN	THAIN
BURNS	FITZGERALD	LANGNER	PATTENGILL	THOMSON
CLANCY	FLOYD-JONES	LOVELAND	PATTERSON	TOWNSLEY
J. CLARK	FRANK	MAPES	PIPER	WEMPLE

Those who voted in the negative, were

ABBOTT	DEYOE	JONES	PEEK	TERRY
ALVORD	FISH	KEATOR	POOL	VALENTINE
ANDREWS	FOSTER	KERN	REYNOLDS	WADSWORTH
ASTOR	GILBERT	KING	ROWLAND	WAKELY
BERRY	GRAHAM	LOWING	SAWYER	WARING
BRUNDAGE	GRIGGS	MATTISON	SEWELL	WHEELER
CASE	I. I. HAYES	J. H. MILLER	SHEARD	WILBOR
CHAPPELL	HOBIE	S. V. R. MILLER	SHELDON	WILLIAMS
CHASE	HOLBROOK	MOOERS	SKINNER	WILLIS
CLAPP	HOYT	NOYES	SUTHERLAND	WINCH
J. M. CLARK	HULME	PALMER	E. TAYLOR	WORTH
CRANDALL	HURD	DEWITT C. PECK		

Mr. Alvord moved to take a recess until half-past four o'clock this afternoon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

HALF - PAST FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker stated the pending question to be on agreeing to said minority report.

Mr. Grady called for the reading of said report in the words following:

To the Assembly:

The undersigned, a minority of the committee on privileges and Elections, to which was referred the petition of Charles H. Duell, claiming the seat now occupied by John Clark, respectfully report that they are unable to concur in the report made by the majority of said committee.

The petition of Mr. Duell made many charges of gross fraud and irregularity. It charged that the inspectors of election in the 24th election district were drunk, and did not honestly canvass the votes; and illegally transferred votes from one candidate to another; that in the 5th election district one vote was cast for John Clark by a person who voted on a registered name other than his own, and that a person who was registered and would have voted for Duell was improperly and wrongfully prevented from voting by the inspectors; that in the 16th election district the inspectors allowed John Clark a ballot from which

his name had been erased; that in most of the election districts, and especially in twelve named, at least 60 votes were cast and counted for Clark by persons not lawfully naturalized, or who had obtained possession of false, forged, counterfeit and fraudulent certificates of naturalization.

Upon the hearing all these charges were abandoned except the charge that votes were cast and counted for Clark by persons not lawfully naturalized. There was no proof nor any pretense of any fraudulent voting, repeating, intimidation, false counting, or manipulation of returns.

There was no proof nor any pretense that any person voted who did not believe himself entitled to vote or who had not the usual evidence of citizenship.

We start therefore with the undisputed proposition that the election and the count were in every respect fair and honest. The sole question is whether Mr. Clark should be unseated by reason of proof that any who voted for him were not legally naturalized. Upon this question we differ from the majority report, both as to the facts and as to the law.

First, as to the *facts*. It was proved that 114 men voted upon certificates of naturalization; of this number

Fifteen say they voted for Clark or think they did; eight say they voted for Duell or think they they did; twenty-four say they voted the "Tammany Ticket"; thirty say they voted the "Republican" ticket; five say they voted the "Democratic" ticket; three say they voted the "Anti-Tammany" ticket; twenty-nine say they cannot tell how they voted.

It must be remembered that Clark was the "Tammany" candidate, and that Duell was not only the Republican candidate but also the "Anti-Tammany" candidate, and that votes cast for the democratic ticket were not necessarily cast for John Clark.

The evidence therefore entirely fails to support the statement in the majority report that of naturalized voters, "sixty-four voted for the sitting member, twenty-four for the contestant." It shows nothing which should unseat Clark even though it were conceded that the 114 were not legal voters.

Second, as to the *law*. The undersigned cannot assent to the position taken by the majority. It is in the judgment of the undersigned at war with the decisions of the courts as well as with common sense and common honesty. In regard to the men who voted on certificates of naturalization, it is undisputed that all but two actually went to court, made the application in good faith, were entitled to naturalization, and in good faith received certificates of naturalization. The two who did not go to court but obtained their papers through "a friend," *voted for Duell*. They all took the oath of allegiance and renunciation. Every one of them had in his possession a certificate under the seal of a court of record, reciting that he had appeared in court and applied to it to be admitted as a citizen, and that "thereupon it was ordered by the said court that the said applicant be admitted, and he was accordingly admitted by the said court to be a citizen of the United States." This certificate each man had voted on without objection for ten years.

The majority report would disfranchise these men on two alleged grounds. 1. That there were irregularities in the proceedings before the court. 2. That there was no formal judgment or record.

But it has been repeatedly decided by the Supreme Court of the United States and by all the courts of this State, that a certificate of

naturalization cannot be impeached on such grounds. In each case there was an application to the court, evidence was taken before the court, the court decided the applicant to be entitled to naturalization, and thereupon the oath of allegiance, etc., was administered to the applicant, and a certificate issued. The written evidence of this, in addition to the certificate issued, was in the Superior Court, the affixing of the initials of the judge to the application, in the Supreme Court, a formal order. It was held by the Supreme Court of the United States in 1810 that "the oath, when taken, confers upon the applicant the rights of a citizen, and amounts to a judgment of the court for his admission to those rights." *Campbell v. Gordon*, 6 Cranch, 176.

This case was decided under the law of 1795, but its provisions did not, in this respect, differ from those of the law of 1802, which was in force in 1868, and it has been uniformly followed and approved by every court in every State which has passed upon the question. It would be hard indeed if a man entitled to citizenship, who applied to a competent court, was there examined, was admitted to take the oath, and received his certificate, could be disfranchised ten years afterwards by reason of the neglect of the clerk of the court to keep his records in proper shape. The record of a judgment is not the judgment itself. This was held by the Supreme Court of the United States in the case above cited. The record is only *evidence* of the judgment. In case of its absence by reason of loss or otherwise, the judgment may be proved by other evidence. The majority rely upon the decisions in *Van Wyck v. Green*, in the Forty-first Congress, and of *McLeod v. Halpine*, in the Assembly of 1869. In fact, both these decisions were based upon alleged evidence of fraud. Both were extremely partisan decisions. The writer of the opinion in the *Van Wyck* case (Butler of Tennessee) was afterwards convicted of selling cadetships, and unanimously censured by the House. The undersigned cannot believe that this Assembly will, upon such authority, reverse the decisions of all the courts in the country and permit the right of citizenship, once acquired in good faith, to be overturned upon such flimsy pretexts.

Another consideration which your committee deem of great importance is, that not a particle of evidence was offered to prove, nor indeed was it at any time alleged, that any effort was made by the sitting member to secure the naturalization or the vote of any of these pretended illegal voters. They exercised their right to vote according to their own judgment, and your committee believe that on election day the contestant would have been very willing to have had every one of these so-called illegal votes cast for him, notwithstanding the manner of the naturalization, and would have then ridiculed the idea that, for reasons now urged by him, they were not entitled to vote.

We therefore respectfully recommend the adoption of the following resolution :

Resolved, That John Clark was duly elected member of Assembly from the 13th Assembly district of the city of New York, at the election held therein on the 6th day of November, 1877, and that he is entitled to retain the seat which he now occupies.

All of which is respectfully submitted.

S. B. PIPER,
JOSEPH P. STRACK.

Dated *March 27*, 1878.

Mr. Grady moved to substitute the minority report for that of the majority of the committee on privileges and elections.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was decided in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Grady, and it was determined in the negative, as follows:

AYES 51.

NOES 58.

Those who voted in the affirmative, were

ALLEN	CROWLEY	HALLIDAY	MCDONOUGH	PROPER
BAKER	CURRAN	HAMILTON	MEAD	SEARING
BEARD	DALY	J. HAYES	MOLLER	SEEBACHER
BERRIGAN	DAY	HENRY	MEYENBORG	SHANLEY
BROOKS	DOUGLASS	HOLAHAN	NEILSON	STRACK
BROWNING	FITZGERALD	KEEGAN	NELSON	J. T. TAYLOR
CLANCY	FLOYD-JONES	KELLOGG	NIVEN	THAIN
CONVERSE	FRANK	LANGNER	PATTENGILL	THOMSON
CORMACK	GALVIN	LOVELAND	PATTERSON	TOWNSLEY
COSAD	GRADY	MAPES	PIPER	WEMPLE
CRAWFORD				

Those who voted in the negative, were

ABBOTT	FISH	KEATOR	POOL	TERRY
ALVORD	FOSTER	KERN	REYNOLDS	VALENTINE
ANDREWS	GILBERT	KING	ROWLAND	WADSWORTH
ASTOR	GRAHAM	LOWING	SAWYER	WAKELY
BRUNDAGE	GRIGGS	MATTISON	SEWELL	WARING
CASE	I. I. HAYES	MEKEEL	SHEARD	WHEELER
CHAPPELL	HOBBIE	J. H. MILLER	SHELDON	WILBOR
CHASE	HOLBROOK	S. V. R. MILLER	SKINNER	WILLIAMS
CLAPP	HOYT	NOYES	STORY	WILLIS
J. M. CLARK	HULME	PALMER	SUTHERLAND	WINCH
CRANDALL	HURD	DEWITT C. PECK	E. TAYLOR	WORTH
DEYOE	JONES	PEEK		

When the name of Mr. Berry was called, he stated that he was paired with Mr. Bouck.

When the name of Mr. Mooers was called, he stated that he was paired with Mr. Sliter.

Mr. Speaker put the question whether the House would agree to said report of the majority, and it was determined in the affirmative, as follows:

AYES 58.

NOES 52.

Those who voted in the affirmative, were

ABBOTT	FISH	KEATOR	POOL	TERRY
ALVORD	FOSTER	KERN	REYNOLDS	VALENTINE
ANDREWS	GILBERT	KING	ROWLAND	WADSWORTH
ASTOR	GRAHAM	LOWING	SAWYER	WAKELY
BRUNDAGE	GRIGGS	MATTISON	SEWELL	WARING
CASE	I. I. HAYES	MEKEEL	SHEARD	WHEELER
CHAPPELL	HOBBIE	J. H. MILLER	SHELDON	WILBOR
CHASE	HOLBROOK	S. V. R. MILLER	SKINNER	WILLIAMS
CLAPP	HOYT	NOYES	STORY	WILLIS
J. M. CLARK	HULME	PALMER	SUTHERLAND	WINCH
CRANDALL	HURD	DEWITT C. PECK	E. TAYLOR	WORTH
DEYOE	JONES	PEEK		

Those who voted in the negative, were

ALLEN	CRAWFORD	HALLIDAY	MCDONOUGH	PROPER
BAKER	CROWLEY	HAMILTON	MEAD	SEARING

BEARD	CURRAN	J. HAYES	MOLLER	SEEBACHER
BERRIGAN	DALY	HENRY	MEYENBORG	SHANLEY
BROOKS	DAY	HOLAHAN	NEILSON	STRACK
BROWNING	DOUGLASS	KEEGAN	NELSON	J. T. TAYLOR
BURNS	FITZGERALD	KELLOGG	NIVEN	THAIN
CLANCY	FLOYD-JONES	LANGNER	PATTENGILL	THOMSON
CONVERSE	FRANK	LOVELAND	PATTERSON	TOWNSLEY
CORMACK	GALVIN	MAPES	PIPER	WEMPLE
COSAD	GRADY			

Whereupon Mr. Speaker declared that, pursuant to the resolution just adopted by the Assembly, Charles H. Duell was duly entitled to the seat now occupied by John Clark, as member of Assembly from the Thirteenth Assembly district of the county of New York.

The Senate sent for concurrence the bills entitled as follows :

"An act relative to the justices of the Supreme Court in the third judicial district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relating to the State survey, and making appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

The Senate sent for concurrence a resolution in the words following :

Whereas, The commercial interests of the whole country, and especially of the city and State of New York, demand the early improvement of Harlem river and Spuyten Duyvil creek, from the North river to the East river, through the Harlem kills, so as to afford a safe and convenient channel for vessels of all classes navigating the North river and bound for ports on the East river, Long Island sound, and in the eastern States, thus shortening the distance of the route between the North river and the waters of the sound, and a large portion of the city of Brooklyn lying on the East river, and between the North river and the eastern States, by more than twenty (20) miles around the Battery, of the tedious, expensive and unsafe navigation of the crowded waters that skirt the city, and thus avoiding the dangerous passage through Hell Gate; and,

Whereas, There is an act now pending in the Congress of the United States having for its object an appropriation towards the accomplishment of said purpose : and,

Whereas, A survey and estimate has already been made by the United States authorities, in which the cost of said work is shown and its importance fully set forth; and,

Whereas, The means for carrying on this work will be derived from the federal revenue, to which this State contributes in customs, giving out of its commerce over twenty-one millions of dollars, or nearly three-fourths of the total customs revenue, and the sum of nineteen millions of dollars of internal revenue, making a total of over one hundred and ten millions so contributed by this State; and,

Whereas, By the estimates of the United States engineers, it appears that but one million four hundred thousand dollars will be required to make a navigable channel, and the said sum is less than one and a half per cent upon the revenues contributed in one year by the State of New York to the United States; now, therefore, be it and it is hereby

Resolved (If the Assembly concur), That our Senators and Representatives in Congress be requested to use their influence to secure the pas-

sage of the act now pending providing an appropriation for the furtherance of the improvement of Harlem river and Spuyten Duyvil creek.

Ordered, That said resolution be laid upon the table.

The Senate sent for concurrence the following entitled bills:

"An act further to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to legalize and confirm the official acts of the trustees of the village of New Brighton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to confirm and protect the incorporation of the village of Hermon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled An act to incorporate the village of Bath, in the county of Steuben,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to legalize the acts of Owen Glennon, a justice of the peace of the town of Hunter, Greene county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to ratify and confirm the title of Catharine Rasbach to certain lands in the village of Iliou, Herkimer county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to prevent the removal of actions to the circuit court of the United States by foreign insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 282 of the Laws of 1852, entitled 'An act defining the exemptions from taxation on public buildings in the city of New York,' and to extend the provisions thereof to the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to change the corporate name of the Mercantile Library Association of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to release the interest of the State in the real estate of which Peter Welden, late of the county of Richmond, died seized, to Patrick Doran," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to authorize the New York Protestant Episcopal public school to mortgage real estate in the Nineteenth ward of the city of New York."

"An act in relation to the keeping open of certain public offices in the county of Westchester."

"An act to legalize the official acts of Francis E. Clark as notary public of Westchester county."

"An act to repeal an act entitled 'An act relative to paving streets and constructing sewers in the village of West Troy,' passed March 10, 1873."

"An act to provide for changing the term of office of supervisors in the several towns of Erie county."

"An act to amend chapter 249 of the Laws of 1857, entitled 'An act to amend an act entitled 'An act to incorporate the American Female Guardian Society.'"

"An act to amend chapter 386 of the Laws of 1851, entitled 'An act to amend, consolidate and reduce to one act the various acts relative to common schools of the city of New York,' passed July 3, 1851, and the several acts amendatory thereof."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bills entitled as follows:

"An act to authorize the extension of the time for the collection of taxes in the several towns in the counties of Wayne and Chautauqua."

Ordered, That the Clerk deliver said bill to the Governor.

"An act to annex the village of West Mount Vernon, in the county of Westchester, to the village of Mount Vernon, in said county; to confirm the tax sales heretofore held in the said village of West Mount Vernon, and to provide for the division of the said village of Mount Vernon into wards after the annexation of the said village of West Mount Vernon," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Moller, and by unanimous consent, said bill was substituted for Assembly bill No. 323, now on general orders, on the same subject.

Mr. Alvord moved to reconsider the vote by which the report of the committee on privileges and elections was agreed to.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

WEDNESDAY, APRIL 3, 1878.

The House met pursuant to adjournment.

Prayer by Rev. James Haughton.

The journal of yesterday was read and approved.

Mr. Hayes moved that the Assembly bill entitled "An act to secure better public administration in the local government of the city of New York," be made a special order for this afternoon's session.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Alvord, the privileges of the floor were granted to the Hon. J. Clark, a former member of this House.

Indefinite leave of absence was granted to Mr. Willers.

On motion of Mr. Speaker, and by unanimous consent, the privileges of the floor were granted to M. K. LeMamea, Envoy Extraordinary to the United States from the Samoan Islands.

Mr. King introduced a bill entitled "An act to amend chapter 427 of the Laws of 1855, entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. E. Taylor introduced a bill entitled "An act to abolish the office of commissioners for bonding the town of Pavilion, in Genesee county, in aid of the Rochester and State Line Railroad Company, and devolving the duties of said officers on the supervisor of said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act releasing the interests of the State in certain lands of which Patrick Kinney died possessed, to John Kinney and Patrick Kinney, his children and heirs-at-law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the petitions of aliens.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Seebacher introduced a bill entitled "An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. McDonough introduced a bill entitled "An act for the relief of John Hogan, and to authorize the comptroller of the city of New York to pay the amount which may be found due from said city to said Hogan, for granite furnished for a bridge in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Graham introduced a bill entitled "An act in relation to suits brought to remove clouds upon title of real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fish introduced a bill entitled "An act to provide compensation for referees in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brooks introduced a bill entitled "An act to amend the charter of the corporation of the chamber of commerce of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Also, introduced a bill entitled "An act to provide for cleaning the streets of the city of New York, the collection of the ashes, garbage and street sweepings of the city, and the disposition of the materials," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Brooks offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee on insurance examine and report to the House whether any amendment is required to the law of 1873 for the protection of the policyholders in life and fire insurance companies, or to secure a more efficient, economical and honest administration of the Insurance Department, and of the companies chartered by the State, or doing business in the State, and now under the supervision of the Insurance Department.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Palmer introduced a bill entitled "An act to increase the powers of justices of the peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend section 9, chapter 90 of the Laws of 1869, entitled 'An act to provide for improvement of the navigation of the Racket river, and of the hydraulic power thereon, and to check freshets therein,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Purdy introduced a bill entitled "An act to amend an act, entitled 'An act in relation to storage, and the keeping of combustible materials in the city of New York, the use and control of the fire alarm telegraph, the encumbrance of hydrants, and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend an act entitled, 'An act to amend and reduce to one act the several acts relating to buildings in the city of New York,' passed April 20, 1871, and amended May 22, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hurd introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Williamsville,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Allen, Int. No. 614 $\frac{1}{2}$, entitled "An act to amend section 7 of title 13, of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the several acts relating to public instruction,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Foster, Int. No. 514, entitled "An act to amend chapter 62 of the Laws of 1877, entitled 'An act to amend chapter 341 of the Laws of 1872, entitled An act in reference to the Young Men's Association, for mutual improvement in the city of Albany,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, to which was referred

the bill introduced by Mr. Berry, Int. No. 641, entitled "An act authorizing the conveyance of certain portions of the Chenango canal," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. I. I. Hayes, from the committee on canals, to which was referred the bill introduced by Mr. Terry, Int. No. 718, entitled "An act to reappropriate certain moneys in the treasury of the State heretofore appropriated for the improvement of Champlain canal," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bergen, Int. No. 664, entitled "An act to amend the charter of the city of Brooklyn," reported adversely thereto.

On motion of Mr. Fish, and by unanimous consent, said report was laid upon the table.

Mr. Fish, from the committee on affairs of cities, to which was recommitteed the bill introduced by Mr. Daly, Int. No. 609, entitled "An act relative to the finances and property of the city and county of New York, and the administration of the same," re-reported in favor of the passage of the same (Messrs. Brooks and Holahan dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hulme, Int. No. 745, entitled "An act to amend chapter 497, Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie, and to consolidate with the other acts relating to said city,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 54, entitled "An act in relation to the payment of assessments for local improvements in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Cormack, Int. No. 712, entitled "An act to amend chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bergen, Int. No. 396, entitled "An act to provide for the collection of the unpaid assessments for the opening, regulating and grading of Franklin avenue in the towns of Flatbush and New Utrecht," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sheard, Int. No. 690, entitled "An act to constitute a board of alms, and to secure the better application of funds to relieve the poor in the town of Herkimer, Herkimer county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Moller, Int. No. 661, entitled "An

act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester, as amended by chapter 245 of the Laws of 1875, and further amended by chapter 227 of the Laws of 1877,' reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Graham, Int. No. 736, entitled "An act to amend an act entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof, being chapter 431 of the Laws of 1875,'" reported in favor of the passage of the same, with amendments, and a new title reading as follows: "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads, and the alteration thereof,' so far as the same relates to the county of Orange," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Skinner moved to take from the table the report of the committee on public printing, in the words following:

"Mr. Skinner, from the committee on public printing, to which was referred the resolutions relative to printing the Annual Report of the State Engineer and Surveyor, and extra copies of the Annual Report of the Prison Association of New York, reported in favor of the adoption of the following resolution:

"Resolved (if the Senate concur), That there be printed and bound in cloth, 2,400 copies of the Report of the State Engineer and Surveyor on Railroads, for the year ending September 30, 1877, to be distributed by that officer according to law; also, ten copies of said report for each Senator and member of the present Legislature; also, one copy of said report to each officer and reporter of the present Legislature, the whole expense thereof to be refunded to the treasury of the State by an equitable assessment by the Comptroller upon the several railroad companies of this State, the price of printing the same to be agreed upon between the State Engineer and Surveyor, the Comptroller and the legislative printer.

"Resolved, That also the Assembly concur in the Senate resolution, amended so as to read as follows:

"That 1,000 extra copies of the Annual Report of the Prison Association of New York be printed for the use of that association, the same to be bound in paper covers."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question on reconsidering the vote by which said report was disagreed to, and it was determined in the affirmative, as follows:

AYES 77.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	MOLLER	SEARING
ALLEN	CRANDALL	HOLAHAN	MOOERS	SEEBACHER
ALVORD	CROWLEY	HOLBROOK	NIVEN	SEWELL
ANDREWS	DALY	HOYT	NORTH	SHELDON
ASTOR	DEYOE	JONES	NOYES	SKINNER
BAKER	FISH	KEATOR	PARKER	E. TAYLOR
BEARD	FLOYD-JONES	KELLOGG	PATTENGILL	THAIN
BERRY	FLYNN	KERN	DEWITT C. PECK	THOMSON
BOUCK	FOSTER	KING	PEEK	VALENTINE

BROOKS	GALVIN	LANGNER	PIPER	WADSWORTH
BROWNING	GILBERT	LOVELAND	POOL	WAKELY
BRUNDAGE	GRAHAM	LOWING	PURDY	WEMPLE
CASE	GRIGGS	MAPES	REYNOLDS	WILBOR
CHAPPELL	HAMILTON	MCDONOUGH	ROWLAND	WILLIAMS
CHASE	HAVENS	J. H. MILLER	SAWYER	WILLIS
CLARK	HENRY			

For the negative,

BERRIGAN

Mr. Skinner moved to amend said report by striking out the words "also ten copies of said report for each Senator and member of the present Legislature; also one copy of said report to each officer and reporter of the present Legislature."

Mr. Alvord moved to further amend said report by striking out the word "ten," and insert in lieu thereof the word "five."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Skinner, and it was determined in the negative.

Mr. Alvord called for a division of the question.

Mr. Speaker put the question whether the House would agree to that part of the report which related to the printing of the State Engineer and Surveyor's Report, and it was determined in the affirmative, as follows:

AYES 83. NOES 21.

Those who voted in the affirmative, were

ABBOTT	CURRAN	KERN	PALMER	SHELDON
ALLEN	DAY	KING	PARKER	SKINNER
BATHE	DOUGLASS	LANGNER	PATTENGILL	SLITER
BEARD	FISH	LOVELAND	PATTERSON	SUTHERLAND
BERRY	FITZGERALD	LOWING	DEWITT C. PECK	E. TAYLOR
BOUCK	FLOYD-JONES	MAPES	PEEK	J. T. TAYLOR
BROWNING	FLYNN	MATTISON	PIPER	THAIN
BRUNDAGE	GALVIN	MEAD	POOL	THOMSON
BURNS	GRAHAM	MEKEEL	PRESCOTT	TOWNSLEY
CASE	GRIGGS	J. H. MILLER	PURDY	VALENTINE
CHAPPELL	HAMILTON	S. V. R. MILLER	ROWLAND	WAKELY
CHASE	HAVENS	MOLLER	SAWYER	WEMPLE
CLAPP	HOBBIE	MOOERS	SEARING	WHEELER
CLARK	HOYT ₄	MEYENBORG	SEEBACHER	WILBOR
CORMACK	HURD	NIVEN	SEWELL	WILLIAMS
CRANDALL	JONES	NORTH	SHEARD	WINCH
CROWLEY	KELLOGG	NOYES		

Those who voted in the negative, were

ALVORD	BROOKS	FOSTER	HOLBROOK	MCDONOUGH
ANDREWS	CONVERSE	GILBERT	HULME	NELSON
ASTOR	COSAD	HENRY	KEATOR	WADSWORTH
BAKER	CRAWFORD	HOLAHAN	KEEGAN	WILLIS
BERRIGAN				

Mr. Speaker then put the question whether the House would agree to the remainder of said report, and it was determined in the affirmative, as follows:

AYES 85. NOES 1.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOBBIE	MOLLER	SEWELL
ALLEN	CRAWFORD	HOLBROOK	MOOERS	SHEARD
ALVORD	CROWLEY	HOYT	NORTH	SHELDON

ASTOR	DAY	HURD	NOYES	SKINNER
BAKER	DOUGLASS	JONES	PALMER	SLITER
BATHE	FISH	KELLOGG	PARKER	STORY
BEARD	FITZGERALD	KERN	PATTENGILL	SUTHERLAND
BERRIGAN	FLOYD-JONES	KING	DeWITT C. PECK	J. T. TAYLOR
BERRY	FLYNN	LANGNER	PEEK	THAIN
BOUCK	FOSTER	LOVELAND	PIPER	THOMSON
BROOKS	GALVIN	LOWING	POOL	TOWNSLEY
BRUNDAGE	GILBERT	MAPES	PRESCOTT	VALENTINE
BURNS	GRAHAM	MATTISON	PURDY	WAKELY
CASE	GRIGGS	McDONOUGH	ROWLAND	WEMPLE
CLAPP	HALLIDAY	MEKEEL	SAWYER	WILBOR
CLARK	HAMILTON	J. H. MILLER	SEARING	WILLIS
CORMACK	HAVENS	S. V. R. MILLER	SEEBACHER	WINCH

For the negative,

NELSON

Mr. Abbott, from the committee on federal relations, to which was referred the bill introduced by Mr. Terry, Int. No. 742, entitled "An act accepting the sovereignty and jurisdiction over a portion of the State of Vermont ceded to the State of New York in the year 1876," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Parker, from the committee on the petitions of aliens, to which was referred the bill introduced by Mr. Langner, Int. No. 593, entitled "An act to release and convey the interest of the people of the State of New York of, in and to certain real estate situated in the town of Grand Island, county of Erie, State of New York, to Leopold Mullenhoff," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to legalize the proceedings of the electors of the town of Fowler, St. Lawrence county, in annual and special town meetings assembled on the 12th and 26th days of February, 1878, in relation to the raising of money for the improvement of certain roads."

"An act to amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious society of Friends,' passed April 17, 1839."

"An act to amend chapter 505 of the Laws of 1873, entitled 'An act to re-organize the village of Gloversville,' passed May 14, 1873."

"An act authorizing the common council of the city of Buffalo to raise and appropriate money for the poor fund."

"An act to authorize the railroad commissioners of the town of Skaneateles to sell and convey the stock owned by said town in the Skaneateles railroad, and to provide for the disposition of the proceeds thereof."

"An act to amend article 5 of title 1, chapter 16 of part 1 of the Revised Statutes."

"An act to amend chapter 104 of the Laws of 1877, entitled 'An act to authorize the treasurer of Monroe county to sell property for unpaid taxes.'"

"An act to amend chapter 180 of the Laws of 1876, entitled 'An act amending an act, entitled An act amending and revising and consolidating the several acts in relation to the village of Greenbush, passed March 22, 1854, and April 29, 1863,' passed April 25, 1871, passed April 26, 1876."

"An act in relation to the redemption of lands in the city of Yonkers from sales for unpaid taxes and assessments."

"An act governing the sale of drugs and poisons in the city of Brooklyn."

"An act in regard to the powers of the associate rector of St. Paul's Church in Buffalo, in the city of Buffalo, county of Erie and State of New York."

"An act to confirm the election of trustees in the village of Marathon, in the county of Cortland, and to provide for and determine by lot their respective terms of office."

"An act to amend chapter 42 of the Laws of 1856, entitled 'An act to incorporate the College of Pharmacy of the city of New York,' passed March 20, 1856."

"An act for the incorporation of district No. 1, of the Independent Order of Benai Berith, and to authorize other corporations, incorporated societies or other associations to give and transfer property to, or wholly to consolidate with the corporation hereby created."

"An act to authorize the city of Brooklyn to pay to John McCloskey the proper cost of a certain temporary sewer or drain in Hicks street connecting with Hamilton avenue sewer, constructed by said McCloskey under a resolution of award of the common council of said city, passed October 25, 1869."

"An act in relation to the board of police surgeons and the members thereof, of the city of Brooklyn."

"An act to amend chapter 786 of the Laws of 1867, entitled 'An act to incorporate the village of Lima, Livingston county.'"

"An act to authorize the commissioners for the erection of a city and county hall, in the city of Buffalo and county of Erie, to assign a portion of said building for the use of the coroners of said county."

"An act to amend 'An act relative to the construction of sewers in a certain district in the city of Brooklyn, and providing for laying an assessment for sewers in said district,' passed June 21, 1875."

"An act authorizing the Courts of Oyer and Terminer and the Courts of Sessions of the county of Saratoga, to direct payment of clerk hire in certain cases."

"An act to repeal chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the drainage of swamps, marshes and other low or wet lands, and for draining lands.' Also chapter 303 of the Laws of 1871, entitled 'An act to amend an act, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the draining of swamps, marshes and other low or wet lands, and for draining farm lands, and to provide for proceedings instituted and obligations incurred under said act.'"

"An act conferring additional powers upon the board of trustees of the village of Havana, county of Schuyler."

"An act to amend chapter 325 of the Laws of 1874, entitled 'An act to incorporate the village of Bath-on-the-Hudson, Rensselaer county, New York,' passed May 5, 1874, and the act amendatory thereof, being chapter 284 of the Laws of 1876, entitled 'An act to amend chapter 325 of the Laws of 1874, entitled An act to incorporate the village of Bath-on-the-Hudson, Rensselaer county, New York,' passed May 5, 1874, passed May 15, 1876."

"An act to amend chapter 248 of the Laws of 1867, entitled 'An act to amend the act passed April 11, 1860, chapter 269, entitled 'An act to amend the act entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical and chemical purposes,' passed February 17, 1848.'"

"An act to amend chapter 37 of the Laws of 1848, entitled 'An act to authorize the formation of gas light companies.'"

"An act to amend chapter 411 of the Laws of 1877, entitled 'An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

"An act to authorize and direct the Comptroller to receive, audit and credit to the county treasurer of the county of Richmond arrears of taxes upon lands of non-residents in said county for the years 1873, 1874, 1875 and 1876.'"

Mr. Purdy moved to discharge the committee of the whole from the further consideration of the Assembly bill, entitled "An act to amend chapter 35 of the Laws of 1873, entitled 'An act to re-enact and amend an act entitled An act to incorporate the city of Yonkers,' passed June 1, 1872, passed February 28, 1873," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	NELSON	SEWELL
ALLEN	CRANDALL	HOLBROOK	NIVEN	SHEARD
ALVORD	CRAWFORD	HOYT	NORTH	SHELDON
ANDREWS	CROWLEY	HULME	NOYES	SKINNER
ASTOR	CURRAN	JONES	PALMER	STRACK
BAKER	DALY	KEATOR	PARKER	SUTHERLAND
BEARD	DAY	KELLOGG	PATTENGILL	E. TAYLOR
BERRIGAN	DOUGLASS	KERN	DEWITT C. PECK	THAIN
BERRY	FISH	KING	PEEK	THOMSON
BOUCK	FITZGERALD	LANGNER	PIPER	VALENTINE
BROOKS	FLOYD-JONES	LOVELAND	POOL	WADSWORTH
BRUNDAGE	FLYNN	LOWING	PRESCOTT	WAKELY
CASE	FOSTER	MEAD	PURDY	WARING
CHAPPELL	GALVIN	J. H. MILLER	REYNOLDS	WEMPLE
CHASE	GRIGGS	S. V. R. MILLER	ROWLAND	WILBOR
CLAPP	HAMILTON	MOLLER	SEARING	WILLIS
CONVERSE	I. I. HAYES	NEILSON	SEEBACHER	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the town of Hempstead, in Queens county, to Richard Ingraham," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 90.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HURD	NELSON	SKINNER
ALLEN	CROWLEY	JONES	NORTH	SLITER
ALVORD	CURRAN	KEATOR	NOYES	STORY
ANDREWS	DEYOE	KELLOGG	PALMER	STRACK
ASTOR	FISH	KERN	PARKER	SUTHERLAND
BATHE	FITZGERALD	KING	PATTENGILL	E. TAYLOR
BEARD	FLOYD-JONES	LANGNER	DEWITT C. PECK	J. T. TAYLOR
BERRIGAN	FOSTER	LOVELAND	PEEK	THAIN
BERRY	GALVIN	LOWING	POOL	THOMSON
BOUCK	GILBERT	MAPES	PRESCOTT	TOWNSLEY
BRUNDAGE	GRAHAM	MATTISON	PURDY	VALENTINE
CASE	HALLIDAY	MEAD	ROWLAND	WADSWORTH
CHAPPELL	HAMILTON	MEKEEL	SAWYER	WAKELY
CHASE	I. I. HAYES	J. H. MILLER	SEARING	WARING
CLAPP	HOBBIE	S. V. R. MILLER	SEEBACHER	WEMPLE
CLARK	HOLAHAN	MOLLER	SEWELL	WILBOR
CONVERSE	HOYT	MOOERS	SHEARD	WILLIS
CORMACK	HULME	NEILSON	SHELDON	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the City Court of Yonkers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HOLBROOK	NEILSON	SEWELL
ALLEN	CONVERSE	HOYT	NELSON	SHEARD
ALVORD	CORMACK	HULME	NIVEN	SHELDON
ANDREWS	CRANDALL	KELLOGG	NORTH	SKINNER
ASTOR	CRAWFORD	KERN	NOYES	SLITER
BAKER	CROWLEY	KING	PALMER	STRACK
BATHE	DAY	LANGNER	PATTERSON	SUTHERLAND
BEARD	FISH	LOVELAND	DEWITT C. PECK	E. TAYLOR
BERRIGAN	FLOYD-JONES	LOWING	PEEK	J. T. TAYLOR
BERRY	FOSTER	MATTISON	PIPER	THAIN
BROWNING	FRANK	MCDONOUGH	POOL	THOMSON
BRUNDAGE	GRADY	MEAD	PRESCOTT	VALENTINE
CASE	GRIGGS	MEKEEL	PURDY	WAKELY
CHAPPELL	HAMILTON	J. H. MILLER	ROWLAND	WHEELER
CHASE	I. I. HAYES	S. V. R. MILLER	SAWYER	WILBOR
CLANCY	HOBBIE	MOLLER	SEARING	WILLIS
CLAPP	HOLAHAN	MOOERS	SEEBACHER	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act releasing the interest of the people of the State of New York in certain real estate to Christian Spiess," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 92.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOYT	NELSON	SHELDON
ALLEN	CRANDALL	HULME	NIVEN	SKINNER
ALVORD	CRAWFORD	HURD	NORTH	SLITER
ANDREWS	CROWLEY	KELLOGG	NOYES	STORY
ASTOR	CURRAN	KERN	PALMER	SUTHERLAND
BAKER	DAY	KING	PATTERSON	E. TAYLOR
BATHE	FISH	LANGNER	DEWITT C. PECK	J. T. TAYLOR
BEARD	FLOYD-JONES	LOVELAND	PEEK	THAIN
BERRIGAN	FLYNN	LOWING	PIPER	THOMSON
BERRY	FOSTER	MAPES	POOL	TOWNSLEY
BOUCK	GALVIN	MATTISON	PRESCOTT	VALENTINE
BROOKS	GILBERT	MCDONOUGH	PURDY	WADSWORTH
BROWNING	GRADY	MEAD	ROWLAND	WARING
BRUNDAGE	GRAHAM	MEKEEL	SEARING	WEMPLE
CASE	GRIGGS	S. V. R. MILLER	SEEBACHER	WHEELER
CHAPPELL	HAMILTON	MOLLER	SEWELL	WILBOR
CHASE	HAVENS	MOOERS	SHANLEY	WILLIS
CLAPP	J. HAYES	NEILSON	SHEARD	WINCH
CLARK	HOBBIE			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to confer on the board of supervisors of Chautauqua county authority to protect ducks and fish in all waters within the territorial jurisdiction of said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HURD	NIVEN	SKINNER
ALLEN	CRAWFORD	KELLOGG	NORTH	SLITER
ALVORD	CURRAN	KERN	NOYES	STRACK
ANDREWS	DALY	KING	PATTERSON	SUTHERLAND
ASTOR	DAY	LANGNER	DEWITT C. PECK	E. TAYLOR
BAKER	FISH	LOVELAND	PEEK	J. T. TAYLOR
BATHE	FLOYD-JONES	LOWING	PIPER	THAIN
BEARD	GALVIN	MAPES	POOL	THOMSON
BERRIGAN	GRADY	MATTISON	PRESCOTT	TOWNSLEY
BOUCK	GRAHAM	MCDONOUGH	ROWLAND	WADSWORTH
BROOKS	GRIGGS	MEAD	SAWYER	WAKELY
BROWNING	HAMILTON	MEKEEL	SEARING	WARING
CASE	HAVENS	S. V. R. MILLER	SEEBACHER	WHEELER
CHAPPELL	I. I. HAYES	MOLLER	SEWELL	WILBOR
CHASE	HOBBIE	MOOERS	SHEARD	WILLIS
CLAPP	HOYT	NELSON	SHELDON	WINCH
CLARK	HULME			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to legalize the proceedings of the electors of the town of Fowler, St. Lawrence county, in annual and special town meetings assembled on the 12th and 26th days of February, 1878, in relation to the raising of money for the improvement of certain roads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLAHAN	MOOERS	SEWELL
ALLEN	CORMACK	HOYT	NELSON	SHEARD
ALVORD	COSAD	HULME	NIVEN	SHELDON
ANDREWS	CRANDALL	HURD	NORTH	SKINNER
ASTOR	CURRAN	KELLOGG	NOYES	STORY
BAKER	DALY	KERN	PARKER	STRACK
BATHE	FLOYD-JONES	KING	PATTERSON	SUTHERLAND
BEARD	FOSTER	LANGNER	DEWITT C. PECK	E. TAYLOR
BERRIGAN	GALVIN	LOVELAND	PEEK	J. T. TAYLOR
BOUCK	GILBERT	LOWING	PIPER	THOMSON
BROOKS	GRADY	MAPES	POOL	VALENTINE
BROWNING	GRAHAM	MATTISON	PRESCOTT	WADSWORTH
BRUNDAGE	GRIGGS	MCDONOUGH	ROWLAND	WHEELER
CASE	HAMILTON	MEAD	SAWYER	WILBOR
CHASE	HAVENS	MEKEEL	SEARING	WILLIS
CLAPP	I. I. HAYES	J. H. MILLER	SEEBACHER	WINCH
CLARK	HOBBIE	S. V. R. MILLER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious society of Friends, passed April 17, 1839,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83. NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HULME	NELSON	SHEARD
ALLEN	CRANDALL	HURD	NIVEN	SHELDON
ALVORD	CROWLEY	JONES	NORTH	SKINNER
ANDREWS	CURRAN	KELLOGG	NOYES	SLITER
ASTOR	DALY	KERN	PALMER	STRACK
BATHE	FITZGERALD	KING	PARKER	SUTHERLAND
BEARD	FLOYD-JONES	LANGNER	PATTERSON	E. TAYLOR
BERRIGAN	FOSTER	LOVELAND	PIPER	THAIN
BERRY	FRANK	LOWING	POOL	THOMSON
BROOKS	GALVIN	MATTISON	PRESCOTT	VALENTINE
BROWNING	GILBERT	MCDONOUGH	PURDY	WARING
BRUNDAGE	GRAHAM	MEAD	ROWLAND	WEMPLE
CHAPPELL	HAMILTON	J. H. MILLER	SEARING	WHEELER
CHASE	HAVENS	S. V. R. MILLER	SEEBACHER	WILBOR
CLAPP	I. I. HAYES	MOLLER	SEWELL	WILLIS
CLARK	HOBBIE	MOOERS	SHANLEY	WINCH
CONVERSE	HOYT	NEILSON		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 505 of the Laws of 1873, entitled 'An act to reorganize the village of Gloversville,' passed May 14, 1873," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HURD	NELSON	SEEBACHER
ALLEN	CRAWFORD	JONES	NIVEN	SHELDON
ALVORD	DALY	KEEGAN	NORTH	SKINNER
ANDREWS	DAY	KELLOGG	NOYES	SLITER
ASTOR	FISH	KING	PALMER	SUTHERLAND
BAKER	FOSTER	LANGNER	PARKER	E. TAYLOR
BATHE	GALVIN	LOVELAND	PATTENGILL	TERRY
BEARD	GILBERT	LOWING	PATTERSON	THAIN
BERRIGAN	GRAHAM	MATTISON	DEWITT C. PECK	THOMSON
BROOKS	GRIGGS	MCDONOUGH	PIPER	VALENTINE
BROWNING	HALLIDAY	MEKEEL	POOL	WEMPLE
BRUNDAGE	HAMILTON	J. H. MILLER	PRESCOTT	WHEELER
CHAPPELL	HAVENS	S. V. R. MILLER	REYNOLDS	WILBOR
CHASE	I. I. HAYES	MOLLER	ROWLAND	WILLIS
CLAPP	J. HAYES	MOOERS	SAWYER	WINCH
CLARK	HOBBIE	NEILSON	SEARING	WORTH
CONVERSE	HOYT			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the common council of the city of Buffalo to raise and appropriate money for the poor fund," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HOBBIE	MOOERS	SEWELL
ALLEN	CONVERSE	HOYT	NELSON	SHEARD
ALVORD	CORMACK	HURD	NIVEN	SHELDON
ANDREWS	CRAWFORD	JONES	NORTH	SKINNER
ASTOR	DAY	KEEGAN	NOYES	SLITER
BAKER	DEYOE	KELLOGG	PALMER	SUTHERLAND
BATHE	FISH	KING	PARKER	E. TAYLOR
BEARD	FITZGERALD	LANGNER	PATTENGILL	TERRY
BERRIGAN	FLOYD-JONES	LOVELAND	DEWITT C. PECK	THAIN
BERRY	FOSTER	LOWING	PEEK	THOMSON
BOUCK	GALVIN	MAPES	PIPER	VALENTINE
BROOKS	GILBERT	MATTISON	POOL	WEMPLE
BROWNING	GRADY	MEAD	PRESCOTT	WHEELER
BRUNDAGE	GRAHAM	MEKEEL	PURDY	WILBOR
CASE	HAVENS	J. H. MILLER	SAWYER	WILLIS
CHAPPELL	I. I. HAYES	S. V. R. MILLER	SEARING	WINCH
CHASE	J. HAYES	MOLLER	SEEBACHER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the railroad commissioners of the town of Skaneateles to sell and convey the stock owned by said town in the Skaneateles railroad, and to provide for the disposition of the proceeds thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOYT	NELSON	SHELDON
ALVORD	CURRAN	HURD	NIVEN	SKINNER
ANDREWS	DALY	JONES	NORTH	SLITER
BAKER	DAY	KEEGAN	NOYES	STRACK
BATHE	FISH	KELLOGG	PALMER	SUTHERLAND
BERRIGAN	FITZGERALD	KING	PARKER	E. TAYLOR
BERRY	FLOYD-JONES	LANGNER	PATTENGILL	TERRY
BOUCK	FOSTER	LOVELAND	PATTERSON	THAIN
BROOKS	GALVIN	LOWING	DEWITT C. PECK	THOMSON
BROWNING	GRADY	MAPES	PEEK	VALENTINE
BRUNDAGE	GRAHAM	MATTISON	PIPER	WADSWORTH
CASE	GRIGGS	MEAD	PURDY	WEMPLE
CHAPPELL	HALLIDAY	MEKEEL	REYNOLDS	WHEELER
CHASE	HAMILTON	J. H. MILLER	SAWYER	WILBOR
CLAPP	HAVENS	S. V. R. MILLER	SEARING	WILLIS
CLARK	I. I. HAYES	MOLLER	SHANLEY	WINCH
CONVERSE	HOBBIE	MOOERS	SHEARD	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend sections 81 and 82 of article 4, title 1 of part 1 of chapter 16 of the Revised Statutes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 78. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOLAHAN	NELSON	SEWELL
ALVORD	DALY	HOLBROOK	NORTH	SHELDON
BAKER	DAY	HOYT	PALMER	SKINNER
BEARD	DEYOE	HULME	PARKER	SLITER
BERRY	FISH	HURD	DEWITT C. PECK	SUTHERLAND
BOUCK	FITZGERALD	JONES	PEEK	E. TAYLOR
BROWNING	FLOYD-JONES	KEEGAN	PIPER	J. T. TAYLOR
BRUNDAGE	FOSTER	KELLOGG	POOL	TERRY
CASE	GALVIN	KING	PRESCOTT	THAIN
CHAPPELL	GILBERT	LOVELAND	PURDY	VALENTINE
CHASE	GRADY	MATTISON	REYNOLDS	WADSWORTH
CLARK	GRAHAM	MEAD	ROBERTS	WEMPLE
CONVERSE	GRIGGS	MEKEEL	ROWLAND	WILBOR
CORMACK	HAMILTON	S. V. R. MILLER	SAWYER	WILLIAMS
CRAWFORD	I. I. HAYES	MOLLER	SEARING	WILLIS
CROWLEY	HOBBIE	MOOERS		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 69 of the Laws of 1873, entitled 'An act requiring commissioners of highways to give notice of the discontinuance of public highways,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOLAHAN	MOLLER	SHEARD
ALVORD	DALY	HOLBROOK	MOOERS	SHELDON
BAKER	DALY	HOYT	NEILSON	SKINNER
BEARD	DEYOE	HULME	NIVEN	STRACK
BERRY	FISH	HURD	NORTH	SUTHERLAND
BOUCK	FITZGERALD	JONES	NOYES	E. TAYLOR
BROOKS	FLOYD-JONES	KELLOGG	PALMER	TERRY
BROWNING	FOSTER	KING	DEWITT C. PECK	THAIN
BRUNDAGE	GALVIN	LANGNER	PEEK	THOMSON
CASE	GILBERT	LOVELAND	PIPER	VALENTINE
CHAPPELL	GRADY	LOWING	POOL	WADSWORTH
CHASE	GRAHAM	MAPES	REYNOLDS	WARING
CLAPP	GRIGGS	MATTISON	ROWLAND	WEMPLE
CLARK	HAMILTON	MEAD	SAWYER	WILBOR
CONVERSE	I. I. HAYES	MEKEEL	SEARING	WILLIS
CROWLEY	HOBBIE	S. V. R. MILLER	SEWELL	

For the negative,

PRESCOTT

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend article 5 of title 1, chapter 16 of part 1 of the Revised Statutes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 7.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HALLIDAY	MATTISON	SAWYER
ALLEN	CORMACK	HAMILTON	MEAD	SHEARD
ALVORD	COSAD	HAVENS	MEKEEL	SKINNER
ANDREWS	CRAWFORD	I. I. HAYES	J. H. MILLER	SLITER
BAKER	CROWLEY	HOBBIE	MOLLER	STRACK
BATHE	CURRAN	HOLAHAN	MOOERS	SUTHERLAND
BEARD	DALY	HOYT	NELSON	TERRY
BERRY	DAY	HURD	NIVEN	THAIN
BOUCK	DEYOE	JONES	NORTH	THOMSON
BROOKS	DOUGLASS	KEEGAN	NOYES	VALENTINE
BROWNING	FISH	KERN	PARKER	WADSWORTH
BRUNDAGE	FITZGERALD	KING	PEEK	WARING
CASE	FLYNN	LANGNER	PIPER	WEMPLE
CHAPPELL	FOSTER	LOVELAND	POOL	WILBOR
CHASE	FRANK	LOWING	PRESCOTT	WINCH
CLAPP	GALVIN	MAPES	ROWLAND	WORTH
CLARK	GRAHAM			

Those who voted in the negative, were

FLOYD-JONES	DEWITT C. PECK	SHELDON	E. TAYLOR	WILLIS
GILBERT	REYNOLDS			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 104 of the Laws of 1877, entitled 'An act to authorize the treasurer of Monroe county to sell property for unpaid taxes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	I. I. HAYES	S. V. R. MILLER	SKINNER
ALVORD	CROWLEY	HOBBIE	NELSON	SLITER
ANDREWS	CURRAN	HOYT	NIVEN	SUTHERLAND
BAKER	DALY	HULME	NORTH	E. TAYLOR
BATHE	DEYOE	HURD	NOYES	J. T. TAYLOR
BEARD	FISH	JONES	PALMER	TERRY
BERRY	FITZGERALD	KEEGAN	PARKER	THAIN
BOUCK	FLOYD-JONES	KELLOGG	PATTERSON	THOMSON
BROOKS	FLYNN	KERN	DEWITT C. PECK	VALENTINE
BROWNING	FOSTER	KING	PIPER	WADSWORTH
BRUNDAGE	GALVIN	LOVELAND	POOL	WARING
BURNS	GILBERT	LOWING	REYNOLDS	WEMPLE
CASE	GRADY	MAPES	SAWYER	WILBOR
CHAPPELL	GRAHAM	MATTISON	SEARING	WILLIAMS
CLAPP	HALLIDAY	MEAD	SEEBACHER	WILLIS
CLARK	HAMILTON	MEKEEL	SHEARD	WINCH
CONVERSE	HAVENS	J. H. MILLER	SHELDON	WORTH
COSAD				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 180 of the Laws of 1876, entitled 'An act amending an act entitled An act amending and revising and consolidating the several acts in relation to the village of Greenbush, passed March 22, 1854, and April 29, 1863, passed April 25, 1871,' passed April 26, 1876," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HULME	NIVEN	SLITER
ALVORD	CROWLEY	HURD	NORTH	SUTHERLAND
BAKER	CURRAN	JONES	NOYES	E. TAYLOR
BATHE	DALY	KEEGAN	PALMER	J. T. TAYLOR
BEARD	DAY	KELLOGG	PATTERSON	TERRY
BERRY	DEYOE	KING	PIPER	THAIN
BOUCK	FITZGERALD	LOVELAND	POOL	THOMSON
BROWNING	FLOYD-JONES	LOWING	REYNOLDS	VALENTINE
BRUNDAGE	FLYNN	MAPES	ROWLAND	WADSWORTH
BURNS	FOSTER	MATTISON	SAWYER	WARING
CASE	GILBERT	MEAD	SEARING	WEMPLE
CHAPPELL	GRAHAM	MEKEEL	SEEBACHER	WILBOR
CHASE	HAMILTON	J. H. MILLER	SEWELL	WILLIAMS
CLAPP	I. I. HAYES	S. V. R. MILLER	SHEARD	WILLIS
CLARK	HOBBIE	NELSON	SHELDON	WINCH
CONVERSE	HOYT	NELSON	SKINNER	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the redemption of lands in the city of Yonkers from sales for unpaid taxes and assessments," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HULME	NOYES	STRACK
ANDREWS	CROWLEY	JONES	PALMER	SUTHERLAND
BAKER	CURRAN	KING	DEWITT C. PECK	E. TAYLOR
BATHE	DALY	LANGNER	PIPER	J. T. TAYLOR
BEARD	DEYOE	LOVELAND	POOL	TERRY
BERRY	FISH	LOWING	REYNOLDS	THAIN
BOUCK	FITZGERALD	MAPES	ROWLAND	THOMSON
BROWNING	FLOYD-JONES	MATTISON	SAWYER	VALENTINE
BRUNDAGE	FLYNN	MEAD	SEARING	WADSWORTH
CASE	FOSTER	MEKEEL	SEEBACHER	WEMPLE
CHAPPELL	GRADY	J. H. MILLER	SEWELL	WILBOR
CHASE	GRIGGS	S. V. R. MILLER	SHEARD	WILLIAMS
CLAPP	HAMILTON	MOLLER	SHELDON	WILLIS
CLARK	I. I. HAYES	NELSON	SKINNER	WINCH
CONVERSE	HOBBIE	NORTH	SLITER	WORTH
CORMACK	HOYT			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The bill entitled "An act governing the sale of drugs and poisons in the city of Brooklyn," was read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HAMILTON	J. H. MILLER	SKINNER
ALVORD	CORMACK	HAVENS	NIVEN	SLITER
ANDREWS	COSAD	I. I. HAYES	NORTH	E. TAYLOR
BAKER	CRANDALL	J. HAYES	NOYES	TERRY
BATHE	CURRAN	HOBBIE	PALMER	THAIN
BEARD	DALY	HOYT	PATTERSON	THOMSON
BERRY	DEYOE	HULME	DEWITT C. PECK	VALENTINE
BOUCK	FISH	JONES	PIPER	WADSWORTH
BROOKS	FITZGERALD	KEEGAN	POOL	WAKELY
BROWNING	FLOYD-JONES	KELLOGG	ROWLAND	WARING
BRUNDAGE	FLYNN	KERN	SAWYER	WEMPLE
BURNS	FOSTER	LANGNER	SEARING	WILBOR
CASE	GALVIN	LOVELAND	SEEBACHER	WILLIS
CHAPPELL	GILBERT	LOWING	SEWELL	WINCH
CLAPP	GRAHAM	MAPES	SHEARD	WORTH
CLARK	HALLIDAY	MEKEEL	SHELDON	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Alvord, and by unanimous consent, the morning sessions of this House were ordered to close at 2 o'clock.

The Senate bill entitled "An act to incorporate 'The American Jersey Cattle Club,' for improving the breeding of Jersey cattle in the United States," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOYT	NOYES	SKINNER
ALLEN	CRANDALL	HULME	PALMER	SLITER

ALVORD	CURRAN	HURD	PARKER	SUTHERLAND
ANDREWS	DEYOE	JONES	PATTENGILL	E. TAYLOR
BAKER	FISH	KEEGAN	PATTERSON	J. T. TAYLOR
BATHE	FITZGERALD	KELLOGG	DEWITT C. PECK	TERRY
BERRY	FLOYD-JONES	KING	PEEK	THAIN
BOUCK	FLYNN	LOWING	PIPER	THOMSON
BROOKS	FOSTER	MATTISON	POOL	VALENTINE
BROWNING	GALVIN	MEAD	PRESCOTT	WADSWORTH
BRUNDAGE	GILBERT	MEKEEL	REYNOLDS	WEMPLE
CASE	GRAHAM	J. H. MILLER	ROWLAND	WHEELER
CHASE	HAMILTON	S. V. R. MILLER	SAWYER	WILBOR
CLAPP	HAVENS	NEILSON	SEARING	WILLIAMS
CLARK	J. HAYES	NELSON	SEWELL	WILLIS
CONVERSE	HOBBIE	NIVEN	SHEARD	WINCH
CORMACK	HOLBROOK	NORTH	SHELDON	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act in regard to the powers of the associate rector of St. Paul's Church in Buffalo, in the city of Buffalo, county of Erie, and State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 84. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HULME	NOYES	STRACK
ALLEN	CURRAN	JONES	PARKER	SUTHERLAND
ALVORD	DAY	KEEGAN	PATTENGILL	E. TAYLOR
ANDREWS	DEYOE	KERN	PIPER	J. T. TAYLOR
ASTOR	FITZGERALD	KING	POOL	TERRY
BAKER	FLOYD-JONES	LANGNER	PRESCOTT	THAIN
BEARD	FOSTER	LOVELAND	PURDY	THOMSON
BERRY	GILBERT	LOWING	ROWLAND	VALENTINE
BOUCK	GRADY	MATTISON	SAWYER	WADSWORTH
BROOKS	GRAHAM	MEAD	SEARING	WARING
BRUNDAGE	GRIGGS	MEKEEL	SEEBACHER	WEMPLE
CASE	HALIDAY	J. H. MILLER	SEWELL	WILBOR
CLAPP	HAMILTON	S. V. R. MILLER	SHEARD	WILLIAMS
CONVERSE	HAVENS	NEILSON	SHELDON	WILLIS
CORMACK	J. HAYES	NELSON	SKINNER	WINCH
CRANDALL	HOBBIE	NIVEN	SLITER	WORTH
CRAWFORD	HOYT	NORTH	STORY	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the election of trustees in the village of Marathon, in the county of Cortland, and to provide for and determine by lots their respective terms of office." was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOYT	NIVEN	SKINNER
ALVORD	CROWLEY	HURD	NORTH	SLITER
ANDREWS	CURRAN	JONES	NOYES	STORY
ASTOR	DALY	KEEGAN	DEWITT C. PECK	SUTHERLAND

BAKER	DAY	KELLOGG	PEEK	E. TAYLOR
BATHE	DEYOE	KERN	PIPER	J. T. TAYLOR
BERRIGAN	FLOYD-JONES	LOVELAND	POOL	TERRY
BERRY	FOSTER	LOWING	PRESCOTT	THAIN
BOUCK	GALVIN	MAPES	PURDY	THOMSON
BROWNING	GILBERT	MATTISON	ROWLAND	WEMPLE
BRUNDAGE	GRAHAM	MEAD	SAWYER	WHEELER
CASE	HAMILTON	MEKEEL	SEARING	WILBOR
CHAPPELL	HAVENS	J. H. MILLER	SEEBACHER	WILLIAMS
CLAPP	I. I. HAYES	S. V. R. MILLER	SEWELL	WILLIS
CLARK	HOBBIE	NEILSON	SHEARD	WINCH
CONVERSE	HOLBROOK	NELSON	SHELDON	WORTH
CORMACK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 42 of the Laws of 1856, entitled 'An act to incorporate the College of Pharmacy of the city of New York,' passed March 20, 1856," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HULME	NORTH	STORY
ANDREWS	CURRAN	HURD	NOYES	STRACK
ASTOR	DALY	JONES	PATTERSON	SUTHERLAND
BAKER	DAY	KEEGAN	DEWITT C. PECK	E. TAYLOR
BATHE	FISH	KERN	PEEK	J. T. TAYLOR
BERRIGAN	FITZGERALD	KING	PIPER	TERRY
BERRY	FLOYD-JONES	LOVELAND	POOL	THAIN
BROOKS	FRANK	MAPES	PRESCOTT	THOMSON
BROWNING	GALVIN	MCDONOUGH	ROWLAND	WADSWORTH
BRUNDAGE	GRADY	MEAD	SAWYER	WEMPLE
CASE	GRAHAM	MEKEEL	SEARING	WHEELER
CHAPPELL	HAMILTON	J. H. MILLER	SEEBACHER	WILBOR
CLARK	HAVENS	S. V. R. MILLER	SEWELL	WILLIAMS
CONVERSE	I. I. HAYES	MOOERS	SHEARD	WILLIS
CORMACK	HOBBIE	NEILSON	SHELDON	WINCH
CRANDALL	HOLBROOK	NELSON	SKINNER	WORTH
CRAWFORD	HOYT	NIVEN		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the incorporation of district No. 1, of the Independent order of Benai Berith, and to authorize other corporations, incorporated societies, or other associations, to give and transfer property to, or wholly to consolidate with the corporation hereby created," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	I. I. HAYES	MOLLER	SHEARD
ALVORD	CRANDALL	HENRY	MEYENBORG	SHELDON
ANDREWS	CRAWFORD	HOBBIE	NELSON	SKINNER

ASTOR	CROWLEY	HOYT	NIVEN	STRACK
BATHE	CURRAN	HULME	NORTH	SUTHERLAND
BERRIGAN	DALY	JONES	NOYES	E. TAYLOR
BERRY	DAY	KERN	PATTENGILL	TERRY
BOUCK	DEYOE	KING	DEWITT C. PECK	THOMSON
BROOKS	FISH	LANGNER	PEEK	TOWNSLEY
BROWNING	FLOYD-JONES	LOVELAND	POOL	WADSWORTH
BRUNDAGE	FOSTER	LOWING	PRESCOTT	WAKELY
CASE	FRANK	MATTISON	PURDY	WEMPLE
CHAPPELL	GALVIN	MEAD	SAWYER	WILLIAMS
CHASE	GRADY	MEKEEL	SEABING	WILLIS
CLAPP	HAMILTON	J. H. MILLER	SEEBACHER	WINCH
CLARK	HAVENS	S. V. R. MILLER	SEWELL	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the city of Brooklyn to pay to John McCloskey the proper cost of a certain temporary sewer or drain in Hicks street connecting with Hamilton avenue sewer, constructed by said McCloskey under a resolution of award of the common council of said city, passed October 25, 1869," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOYT	NIVEN	STRACK
ALVORD	CRANDALL	HULME	NORTH	SUTHERLAND
ANDREWS	CRAWFORD	HURD	NOYES	E. TAYLOR
ASTOR	CROWLEY	JONES	PALMER	TERRY
BAKER	CURRAN	KERN	DEWITT C. PECK	THAIN
BEARD	DALY	KING	PEEK	THOMSON
BERRIGAN	DEYOE	LOVELAND	PIPER	WADSWORTH
BERRY	DOUGLASS	LOWING	POOL	WAKELY
BROWNING	FISH	MAPES	PURDY	WEMPLE
BRUNDAGE	FLOYD-JONES	MATTISON	SEARING	WHEELER
CASE	GALVIN	MEAD	SEEBACHER	WILBOR
CHAPPELL	GRAHAM	MEKEEL	SEWELL	WILLIAMS
CHASE	HAMILTON	S. V. R. MILLER	SHANLEY	WILLIS
CLAPP	HAVENS	MOLLER	SHEARD	WINCH
CLARK	HENRY	NEILSON	SHELDON	WORTH
CONVERSE	HOBBIE	NELSON	SKINNER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act for the protection of dairymen and dealers in milk, and to prevent deception in the sale of milk," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 74.

NOES 4.

Those who voted in the affirmative, were

ABBOTT	CLARK	GRIGGS	LOVELAND	PEEK
ALVORD	CONVERSE	HALLIDAY	LOWING	REYNOLDS
ANDREWS	CORMACK	HAMILTON	MAPES	SEEBACHER
ASTOR	COSAD	I. I. HAYES	MCDONOUGH	SHANLEY

BAKER	CRANDALL	HOBBIE	MEKEEL	SHEARD
BATHE	CRAWFORD	HOLAHAN	S. V. R. MILLER	SHELDON
BERRIGAN	CROWLEY	HOYT	MOOERS	SKINNER
BERRY	CURREN	HULME	MEYENBORG	SUTHERLAND
BROOKS	DALY	HURD	NELSON	E. TAYLOR
BROWNING	DEYOE	JONES	NIVEN	THAIN
BRUNDAGE	FITZGERALD	KEEGAN	NORTH	WADSWORTH
CASE	FLOYD-JONES	KELLOGG	NOYES	WILBOR
CHAPPELL	GALVIN	KERN	PALMER	WILLIS
CHASE	GILBERT	KING	PARKER	WORTH
CLAPP	GRAHAM	LANGNER	DEWITT C. PECK	

Those who voted in the negative, were

FISH	FLYNN	HAVENS	MOLLER
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 786 of the Laws of 1867, entitled 'An act to incorporate the village of Lima, Livingston county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 76.

NOES 9.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOYT	NEILSON	SEEBACHER
ALVORD	CRANDALL	HULME	NELSON	SEWELL
ANDREWS	CURRAN	HURD	NIVEN	SHEARD
BAKER	DEYOE	JONES	NORTH	SHELDON
BEARD	DOUGLASS	KEEGAN	NOYES	SKINNER
BERRIGAN	FISH	KELLOGG	PALMER	SUTHERLAND
BERRY	FITZGERALD	KING	PARKER	E. TAYLOR
BROOKS	FLOYD-JONES	LOVELAND	PATTENGILL	WADSWORTH
BROWNING	GALVIN	LOWING	PATTERSON	WAKELY
BRUNDAGE	GILBERT	MATTISON	DEWITT C. PECK	WEMPLE
CASE	HAMILTON	MEAD	PEEK	WHEELER
CHAPPELL	HAVENS	MEEKEL	PIPER	WILBOR
CHASE	I. I. HAYES	S. V. R. MILLER	POOL	WILLIAMS
CLAPP	HOBBIE	MOLLER	REYNOLDS	WILLIS
CLARK	HOLAHAN	MOOERS	SEARING	WORTH
CONVERSE				

Those who voted in the negative, were

CROWLEY	FLYNN	GRADY	STRACK	THOMSON
DALY	FOSTER	MEYENBORG	THAIN	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the commissioners for the erection of a city and county hall in the city of Buffalo and county of Erie to assign a portion of said building for the use of the coroners of said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOYT	NEILSON	SHANLEY
ALVORD	CURRAN	HULME	NELSON	SHEARD

ASTOR	DALY	HURD	NIVEN	SHELDON
BAKER	DEYOE	JONES	NORTH	SKINNER
BEARD	FISH	KELLOGG	NOYES	E. TAYLOR
BERRIGAN	FITZGERALD	KERN	PALMER	THAIN
BROOKS	FLOYD-JONES	KING	PARKER	THOMSON
BROWNING	FLYNN	LANGNER	PATTENGILL	TOWNSLEY
BRUNDAGE	FOSTER	LOVELAND	DEWITT C. PECK	VALENTINE
CASE	FRANK	LOWING	PEEK	WEMPLE
CHAPPELL	GALVIN	MAPES	POOL	WHEELER
CHASE	GRADY	MEAD	PRESCOTT	WILBOR
CLAPP	GRIGGS	MEEKEL	REYNOLDS	WILLIAMS
CLARK	HAMILTON	S. V. R. MILLER	SAWYER	WILLIS
CONVERSE	I. I. HAYES	MOLLER	SEARING	WINCH
CORMACK	HOBIE	MOOERS	SEEBACHER	WORTH
CRANDALL	HOLAHAN	MEYENBORG		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend 'An act relative to the construction of sewers in a certain district in the city of Brooklyn, and providing for laying an assessment for sewers in said district,' passed June 21, 1875," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HULME	NELSON	SHANLEY
ALVORD	CURRAN	HURD	NIVEN	SHEARD
ANDREWS	DALY	JONES	NORTH	SHELDON
ASTOR	DEYOE	KEEGAN	NOYES	SKINNER
BEARD	FISH	KELLOGG	PALMER	SUTHERLAND
BERRIGAN	FITZGERALD	KERN	PARKER	J. T. TAYLOR
BERRY	FLOYD-JONES	KING	PATTENGILL	THAIN
BOUCK	FLYNN	LOVELAND	DEWITT C. PECK	THOMSON
BROOKS	FOSTER	LOWING	PEEK	TOWNSLEY
BROWNING	FRANK	MATTISON	PIPER	WADSWORTH
BRUNDAGE	GALVIN	MEAD	POOL	WEMPLE
CASE	GRADY	MEKEEL	REYNOLDS	WHEELER
CHAPPELL	HAMILTON	J. H. MILLER	ROWLAND	WILBOR
CHASE	HAVENS	S. V. R. MILLER	SAWYER	WILLIAMS
CLAPP	HENRY	MOLLER	SEARING	WILLIS
CONVERSE	HOLAHAN	MOOERS	SEEBACHER	WINCH
CORMACK	HOLBROOK	MEYENBORG	SEWELL	WORTH
COSAD	HOYT	NEILSON		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the courts of Oyer and Terminer and the courts of Sessions of the county of Saratoga, to direct payment of clerk hire in certain cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	JONES	NORTH	SHELDON
ALVORD	CURRAN	KEEGAN	NOYES	SKINNER

ASTOR	DALY	KELLOGG	PALMER	SLITER
BAKER	DEYOE	KERN	PARKER	SUTHERLAND
BATHE	FISH	KING	PATTENGILL	E. TAYLOR
BEARD	FITZGERALD	LANGNER	DEWITT C. PECK	J. T. TAYLOR
BERRIGAN	FLOYD-JONES	LOVELAND	PEEK	TERRY
BERRY	FOSTER	LOWING	PIPER	THAIN
BROOKS	GILBERT	MAPES	POOL	THOMSON
BROWNING	GRADY	MATTISON	REYNOLDS	TOWNSLEY
BRUNDAGE	HAMILTON	MEAD	ROWLAND	VALENTINE
CASE	HAVENS	MEKEEL	SAWYER	WADSWORTH
CHASE	I. I. HAYES	S. V. R. MILLER	SEARING	WHEELER
CLARK	HOLAHAN	MOLLER	SEEBACHER	WILBOR
CONVERSE	HOLBROOK	MOOERS	SEWELL	WILLIS
COSAD	HOYT	NEILSON	SHANLEY	WINCH
CRANDALL	HULME	NELSON	SHEARD	WORTH
CRAWFORD	HURD	NIVEN		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 37 of the Laws of 1848, entitled 'An act to authorize the formation of gas light companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 81.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOLAHAN	NIVEN	SKINNER
ALVORD	CRAWFORD	HOYT	NORTH	STRACK
ASTOR	CURRAN	HURD	NOYES	SUTHERLAND
BAKER	DALY	JONES	PALMER	J. T. TAYLOR
BATHE	DEYOE	KELLOGG	PARKER	TERRY
BEARD	FISH	KERN	DEWITT C. PECK	THAIN
BERRIGAN	FITZGERALD	KING	PEEK	THOMSON
BERRY	FLOYD-JONES	LOWING	PIPER	VALENTINE
BROOKS	FLYNN	MATTISON	POOL	WADSWORTH
BROWNING	FOSTER	MEAD	PRESCOTT	WARING
BRUNDAGE	GILBERT	MEKEEL	REYNOLDS	WEMPLE
CASE	GRADY	S. V. R. MILLER	SAWYER	WILBOR
CHAPPELL	HAMILTON	MOLLER	SEARING	WILLIAMS
CHASE	HAVENS	MOOERS	SEEBACHER	WILLIS
CLAPP	I. I. HAYES	MEYENBORG	SEWELL	WINCH
CLARK	HOBBIE	NELSON	SHELDON	WORTH
CONVERSE				

For the negative,

KEEGAN	SHANLEY
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the drainage of swamps, marshes, and other low or wet lands, and for draining lands;' also, chapter 303 of the Laws of 1871, entitled 'An act to amend an act entitled An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the draining of swamps, marshes, and other low or wet lands, and for draining farm lands,' and to provide for the proceedings instituted and obligations incurred under said act," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77. NOES 21.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	GRADY	LANGNER	SAWYER
ALVORD	CORMACK	GRIGGS	MCDONOUGH	SEARING
ASTOR	CRANDALL	HALLIDAY	MEAD	SEEBACHER
BAKER	CROWLEY	HAMILTON	MEKEEL	SEWELL
BATHE	CURRAN	HAVENS	S. V. R. MILLER	SHANLEY
BEARD	DALY	I. I. HAYES	MEYENBORG	SKINNER
BERRY	DAY	HOBBIE	NELSON	SUTHERLAND
BOUCK	DEYOE	HOLAHAN	NIVEN	J. T. TAYLOR
BROOKS	DOUGLASS	HOYT	NORTH	THAIN
BROWNING	FISH	HULME	PARKER	THOMSON
BRUNDAGE	FITZGERALD	JONES	PATTERSON	VALENTINE
BURNS	FLOYD-JONES	KEEGAN	PIPER	WADSWORTH
CASE	FLYNN	KELLOGG	POOL	WILBOR
CHAPPELL	FOSTER	KERN	PRESCOTT	WILLIAMS
CHASE	FRANK	KING	ROWLAND	WILLIS
CLARK	GALVIN			

Those who voted in the negative, were

ANDREWS	MATTISON	DEWITT C. PECK	SHELDON	WARING
GILBERT	NOYES	PEEK	STRACK	WEMPLE
LOVELAND	PALMER	REYNOLDS	E. TAYLOR	WHEELER
LOWING	PATTENGILL	SHEARD	TERRY	WINCH
MAPES				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act conferring additional powers upon the board of trustees of the village of Havana, county of Schuyler," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80. NOES 1.

Those who voted in the affirmative, were

ABBOTT	CLARK	HOBBIE	NIVEN	SHELDON
ALVORD	CONVERSE	HOLAHAN	NORTH	SKINNER
ANDREWS	CORMACK	HOYT	PALMER	SLITER
ASTOR	CRAWFORD	HULME	PARKER	STRACK
BAKER	DALY	JONES	PATTENGILL	SUTHERLAND
BATHE	DAY	KELLOGG	PATTERSON	E. TAYLOR
BEARD	DEYOE	KERN	PEEK	J. T. TAYLOR
BERRY	DOUGLASS	KING	PIPER	TERRY
BOUCK	FISH	LANGNER	POOL	THAIN
BROOKS	FLOYD-JONES	LOWING	PRESCOTT	THOMSON
BROWNING	FLYNN	MAPES	REYNOLDS	VALENTINE
BRUNDAGE	FOSTER	MEAD	ROWLAND	WADSWORTH
BURNS	GALVIN	MEKEEL	SAWYER	WHEELER
CASE	GILBERT	S. V. R. MILLER	SEARING	WILBOR
CHAPPELL	GRIGGS	MEYENBORG	SEEBACHER	WILLIAMS
CHASE	HAMILTON	NELSON	SEWELL	WILLIS

For the negative,

KEEGAN

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to amend chapter 248 of the Laws of 1867, entitled 'An act to amend the act passed April 11, 1860, chapter 269, entitled An act to amend the act entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical and chemical purposes,' passed February 17, 1848," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	I. I. HAYES	NELSON	SHELDON
ALVORD	CORMACK	HOBBIE	NIVEN	SKINNER
ANDREWS	CRANDALL	HOLAHAN	NORTH	SLITER
ASTOR	CURRAN	HOYT	PALMER	SUTHERLAND
BAKER	DALY	HULME	PATTENGILL	E. TAYLOR
BEARD	DAY	JONES	PEEK	J. T. TAYLOR
BERRY	DEYOE	KEEGAN	PIPER	TERRY
BOUCK	DOUGLASS	KELLOGG	PRESCOTT	THAIN
BROOKS	FISH	KING	ROWLAND	THOMSON
BRUNDAGE	FITZGERALD	LANGNER	SAWYER	VALENTINE
BURNS	FLOYD-JONES	LOVELAND	SEARING	WADSWORTH
CASE	FOSTER	LOWING	SEEBACHER	WAKELY
CHAPPELL	GALVIN	MAPES	SEWELL	WARING
CHASE	GILBERT	MEKEEL	SHANLEY	WILBOR
CLAPP	HAMILTON	S. V. R. MILLER	SHEARD	WILLIS
CLARK	HAVENS	MOLLER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 411 of the Laws of 1877, entitled 'An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CLARK	HAVENS	MOOERS	SEWELL
ALVORD	CONVERSE	HOBBIE	MEYENBORG	SHEARD
ANDREWS	CORMACK	HOLAHAN	NELSON	SHELDON
ASTOR	CRANDALL	HOYT	NIVEN	SKINNER
BAKER	CURRAN	HULME	NOYES	SLITER
BATHE	DALY	HURD	PALMER	STRACK
BEARD	DEYOE	JONES	PARKER	SUTHERLAND
BERRY	FISH	KEEGAN	PATTENGILL	E. TAYLOR
BOUCK	FLOYD-JONES	KELLOGG	DEWITT C. PECK	J. T. TAYLOR
BROOKS	FLYNN	KING	PEEK	TERRY
BROWNING	FOSTER	LANGNER	PIPER	THAIN
BRUNDAGE	FRANK	LOVELAND	PRESCOTT	VALENTINE
CASE	GALVIN	MAPES	ROWLAND	WADSWORTH
CHAPPELL	GRADY	MCDONOUGH	SAWYER	WARING
CHASE	GRIGGS	MEAD	SEARING	WILBOR
CLAPP	HAMILTON	MEKEEL	SEEBACHER	WILLIS

For the negative,

THOMSON

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize and direct the Comptroller to receive, admit and credit to the county treasurer of the county of Richmond arrears of taxes upon lands of now residents in said county, for the years 1873, 1874, 1875 and 1876," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CLAPP	GALVIN	KING	SHANLEY
ALVORD	CLARK	GILBERT	LANGNER	SHEARD
ANDREWS	CONVERSE	GRADY	LOVELAND	SKINNER
ASTOR	CORMACK	GRIGGS	MEKEEL	SLITER
BAKER	COSAD	HAMILTON	MOOERS	STRACK
BATHE	CRANDALL	HAVENS	NELSON	SUTHERLAND
BEARD	CRAWFORD	HOBBIE	NIVEN	E. TAYLOR
BERRIGAN	CROWLEY	HOLAHAN	NORTH	J. T. TAYLOR
BERRY	CURRAN	HOLBROOK	DeWITT C. PECK	TERRY
BOUCK	DALY	HOYT	PEEK	THOMSON
BROOKS	DAY	HULME	PIPER	VALENTINE
BROWNING	DEYOE	HURD	PRESCOTT	WADSWORTH
BRUNDAGE	FISH	JONES	ROWLAND	WARING
BURNS	FLOYD-JONES	KEEGAN	SAWYER	WHEELER
CASE	FLYNN	KELLOGG	SEARING	WILBOR
CHAPPELL	FOSTER	KERN	SEEBACHER	WILLIAMS
CHASE	FRANK			

For the negative,

J. HAYES

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill entitled as follows :

"An act to legalize and confirm the proceedings of the common council of the city of Poughkeepsie in relation to making, levying, and collecting of assessments for the construction of sewers in said city during the years 1873 and 1874, and to authorize the correction of sewer assessment rolls, so far as the same relates to unpaid assessments levied during said years," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hulme, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOLAHAN	MOOERS	SKINNER
ALVORD	COSAD	HOYT	NELSON	SLITER
ANDREWS	CRANDALL	HULME	NIVEN	STRACK

ASTOR	CROWLEY	HURD	NORTH	SUTHERLAND
BAKER	CURRAN	JONES	NOYES	J. T. TAYLOR
BATHE	DALY	KEEGAN	PATTERSON	TERRY
BEARD	FISH	KELLOGG	DEWITT C. PECK	THAIN
BERRY	FLOYD-JONES	KERN	PEEK	THOMSON
BOUCK	FLYNN	KING	PIPER	VALENTINE
BROOKS	FOSTER	LANGNER	PRESCOTT	WADSWORTH
BROWNING	FRANK	LOWING	REYNOLDS	WARING
BRUNDAGE	GALVIN	MAPES	ROWLAND	WEMPLE
BURNS	GILBERT	MATTISON	SAWYER	WHEELER
CASE	GRIGGS	MCDONOUGH	SEARING	WILBOR
CHAPPELL	HALLIDAY	MEAD	SHANLEY	WILLIAMS
CLAPP	HAMILTON	MEKEEL	SHEARD	WILLIS
CLARK	HAVENS	J. H. MILLER	SHELDON	WINCH
CONVERSE				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to amend section 21 of article 3, title 3, chapter 6, part 1, of the Revised Statutes," with a message that they had concurred in the passage of the same, with the following amendment :

Add, at the end of section 1, the following :

"And in each of said towns, one of the poll-clerks shall be selected from the political party to which the two inspectors who shall be elected as aforesaid shall belong ; and the other poll-clerk shall be selected from the political party to which the inspector who shall be appointed as aforesaid shall belong."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HULME	NELSON	STRACK
ALLEN	CORMACK	HURD	NIVEN	SUTHERLAND
ALVORD	CRANDALL	JONES	NOYES	J. T. TAYLOR
ANDREWS	CRAWFORD	KEEGAN	DEWITT C. PECK	TERRY
ASTOR	CURRAN	KELLOGG	PEEK	THAIN
BAKER	DALY	KERN	PIPER	THOMSON
BATHE	DEYOE	KING	PRESCOTT	VALENTINE
BEARD	FISH	LANGNER	ROWLAND	WADSWORTH
BERRIGAN	FLOYD-JONES	LOVELAND	SAWYER	WAKELY
BERRY	FOSTER	LOWING	SEARING	WEMPLE
BOUCK	GALVIN	MATTISON	SEWELL	WHEELER
BROOKS	GILBERT	MCDONOUGH	SHANLEY	WILBOR
CASE	HAMILTON	MEKEEL	SHEARD	WILLIAMS
CHAPPELL	HOBBIE	J. H. MILLER	SHELDON	WILLIS
CHASE	HOLAHAN	MOOERS	SKINNER	WINCH
CLAPP	HOYT			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate returned the bill entitled "An act to amend chapter 159 of the Laws of 1855, entitled 'An act to allow the trustees, directors or managers of incorporated asylums to bind out orphans or indigent children surrendered to their care,'" with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, line 7, after the word "other," insert the word "incorporated."

Same section, line 12, strike out the words "by an intemperate or profligate parent."

Same section, line 15, after the word "poor," insert the words "or board of charities."

Add, at the end of section 2, the following :

"But this act shall not apply to cases where testamentary guardians have been appointed by either parent."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HULME	PATTERSON	SLITER
ALLEN	CONVERSE	HURD	DEWITT C. PECK	STRACK
ALVORD	CORMACK	JONES	PEEK	SUTHERLAND
ANDREWS	COSAD	KEEGAN	PIPER	E. TAYLOR
ASTOR	CRANDALL	KELLOGG	PRESCOTT	J. T. TAYLOR
RAKER	CROWLEY	KERN	PURDY	TERRY
BERRIGAN	CURRAN	LOVELAND	REYNOLDS	THAIN
BERRY	DAY	MAPES	ROWLAND	VALENTINE
BOUCK	DEYOE	MATTISON	SAWYER	WADSWORTH
BROOKS	FISH	MEAD	SEARING	WARING
BRUNDAGE	FOSTER	MEKEEL	SEEBACHER	WEMPLE
BURNS	GRIGGS	MOOERS	SHANLEY	WHEELER
CASE	HALLIDAY	NEILSON	SHEARD	WILBOR
CHAPPELL	HAMILTON	NORTH	SHELDON	WILLIS
CHASE	HOLAHAN	NOYES	SKINNER	WINCH
CLAPP	HOYT	PALMER		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to authorize the county clerk of Allegany county to sign the name of W. H. H. Russell, clerk, to the certificates of record of deeds, mortgages and other papers recorded in the Allegany county clerk's office, and otherwise complete said records, where the same were not completed or certified by the said W. H. H. Russell, clerk," with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, lines 2 and 3, strike out the words "the name of W. H. H. Russell, clerk, to."

Line 3, after the word "of" insert the word "the."

Line 6, strike out the words "the said," and after the name "Russell" insert the words "his immediate predecessor in office."

Lines 6 and 7, strike out the words "the former clerk of said county."

Line 12, strike out the words "former clerk, personally," and insert the name "W. H. H. Russell."

Strike out all of section 2, and insert in lieu thereof the following :

"§ 2. The board of supervisors of the county of Allegany are hereby authorized and directed to audit and allow to the county clerk of said county a reasonable compensation for all services rendered and expenses incurred under this act. And the amount so allowed shall be a charge

against the county, and levied, collected and paid in the same manner as other charges against the county are levied, collected and paid."

Amend the title so as to read as follows:

"An act to authorize the county clerk of Allegany county to sign the certificates of the record of deeds, mortgages and other papers recorded in the Allegany county clerk's office, and otherwise complete said records where the same were not completed or certified by W. H. H. Russell, his immediate predecessor in office."

The amendments having been read,

Mr. Speaker put the question whether the house would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HAVENS	NEILSON	SHELDON
ALVORD	COSAD	HOBBIE	NELSON	SKINNER
ANDREWS	CRANDALL	HOLAHAN	NIVEN	SLITER
ASTOR	CRAWFORD	HOYT	NORTH	STRACK
BAKER	CROWLEY	HULME	NOYES	SUTHERLAND
BERRIGAN	CURRAN	HURD	PALMER	E. TAYLOR
BERRY	DAY	JONES	DEWITT C. PECK	J. T. TAYLOR
BOUCK	DEYOE	KEEGAN	PEEK	TERRY
BROOKS	FISH	KELLOGG	PIPER	THAIN
BROWNING	FITZGERALD	KERN	PRESCOTT	THOMSON
BRUNDAGE	FLOYD-JONES	KING	REYNOLDS	VALENTINE
BURNS	FLYNN	LOVELAND	ROWLAND	WARING
CASE	FOSTER	LOWING	SAWYER	WEMPLE
CHAPPELL	GALVIN	MATTISON	SEARING	WILBOR
CHASE	GRAHAM	MEKEEL	SEWELL	WILLIS
CLAPP	HALLIDAY	J. H. MILLER	SHEARD	WINCH
CLARK	HAMILTON	MEYENBORG		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

Mr. Wheeler, from the committee on joint library, to which was referred the memorial of Minthorne Tompkins relative to the historical papers, documents, correspondence and other matter of Daniel D. Tompkins, deceased, reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That the Board of Regents of the University be authorized to purchase the historical papers, documents, correspondence and other matter of Daniel D. Tompkins, deceased, referred to in the memorial of Minthorne Tompkins, and the schedule accompanying the same, provided the same can be obtained at a price not exceeding five thousand dollars.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Purdy, Int. No. 786, entitled "An act to amend an act entitled 'An act in relation to storage and the keeping of combustible materials in the city of New York, the use and control of the fire-alarm telegraph, the encumbrance of hydrants, and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commis-

sioners of the said city,' passed April 26, 1871," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Purdy, Int. No. 790, entitled 'An act to amend an act entitled 'An act to amend and reduce to one act the several acts relative to buildings in the city of New York,' passed April 20, 1871, and amended May 22, 1874," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Fish moved that said bills be recommitted to the committee on affairs of cities, when printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Galvin, Int. No. 387, entitled "An act to regulate the practice of dentistry in this State," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Brooks, Int. No. 787, entitled "An act to amend the charter of the corporation of the Chamber of Commerce of the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was referred the Senate bill introduced by Mr. R. V. Pierce, Int. No. 69, entitled "An act to amend chapter 430 of the Laws of 1874, entitled 'An act to facilitate the reorganization of railroads sold under mortgage, and providing for the formation of new companies in such cases,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Graham introduced a bill entitled "An act in relation to actions of partition, and the fees of referees therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Flynn, Int. No. 573, entitled "An act to repeal an act entitled 'An act to provide for the incorporation of religious societies,' passed April 23, 1867," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. J. Hayes, Int. No. 694, entitled "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hurd offered, for the consideration of the House, a resolution in the words following :

Resolved, That Senate bill No. 132, which has been substituted for Assembly bill on general orders No. 237, be printed and placed upon the files as it passed the Senate.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker and the Clerk, with the consent of the Assembly, referred following entitled bills to the sub-committee of the whole :

Senate, G. O. 386, No. 110, "An act relative to the collection of taxes, in the county of Sullivan."

Senate, G. O. 406, No. 115, "An act to legalize and confirm the official acts of William W. Snow as trustee and president of the board of trustees of the village of Oneonta, in the county of Otsego."

Senate, G. O. 389, No. 129, "An act to regulate the election of permanent members of the Medical Society of the State of New York."

G. O. 376, No. 333, "An act to amend section 37 of title 1 of chapter 5, part 3 of the Revised Statutes."

G. O. 380, No. 337, "An act relating to the public place or square known as Washington park in the city of New York."

G. O. 384, No. 341, "An act to repeal chapter 418 of the Laws of 1870, entitled 'An act to provide for the payment of the board of vagrants committed to the almshouse of the city and town of Newburgh.'"

G. O. 399, No. 355, "An act to authorize the trustees of the village of Valatie to borrow money, to be expended in the purchase of a suitable building and lot for the purpose of a public hall for the use of said village."

G. O. 371, No. 326, "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' so far as the same relates to the village of Northville, in the county of Fulton."

G. O. 342, No. 297, "An act relating to contracts for lighting the public lamps in the city of New York."

G. O. 369, No. 324, "An act to repeal subdivision 3 of section 2 of chapter 769 of the Laws of 1857, and chapter 530 of the Laws of 1872."

Senate, G. O. 368, No. 160, "An act to annex the village of West Mount Vernon, in the county of Westchester, to the village of Mount Vernon in said county; to confirm the tax sales heretofore held in the said village of West Mount Vernon, and to provide for the division of the said village of Mount Vernon into wards after the annexation of the said village of West Mount Vernon."

G. O. 367, No. 322, "An act to amend chapter 152 of the Laws of 1877, entitled 'An act to amend chapter 389 of the Laws of 1876, entitled An act to amend chapter 504 of the Laws of 1875, entitled An act to amend chapter 455 of the Laws of 1874, entitled An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York; also of Clyde and Seneca rivers, in the counties of Wayne and Cayuga.'"

G. O. 365, No. 321, "An act to authorize the trustees of school district No. 2 of the town of Hinsdale to lease the upper story of the district school-house to the town of Hinsdale, for a town hall and other purposes."

G. O. 321, No. 201, "An act to amend section 1, chapter 316, of the Laws of 1876, entitled 'An act relative to judgments entered upon forfeited recognizances in the city and county of New York.'"

G. O. 374, No. 331, "An act to discharge chattel mortgages."

G. O. 316, No. 270, "An act in relation to the sales of personal property, to be paid for in installments, in the cities of New York and Brooklyn."

G. O. 240, No. 210, "An act to secure the payment of mechanics,

laborers and workmen who perform work; also persons furnishing materials towards the erection, altering or repairing buildings, wharfs, vaults or other structure in the city and county of New York."

G. O. 364, No. 320, "An act to enable the board of education of the city of Brooklyn to sell certain lands."

G. O. 361, No. 317, "An act declaring certain waters of Stocking run and Conhocton river a public highway."

G. O. 388, No. 345, "An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes, so far as the same relates to Ulster county.'"

G. O. 401, No. 357, "An act to render inoperative an act entitled 'An act to amend an act to improve the Cayuga creek road, in the county of Erie,' passed March 29, 1848, passed March 29, 1849, so far as the same applies to the eastern section of said Cayuga creek road."

On motion of Mr. Floyd-Jones, and at 1 o'clock and 50 minutes, the House took a recess until half past 4 P. M.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

On motion of Mr. Meyenborg, the privileges of the floor were granted to the Hon. Jonathan Ogden, a former member of the House.

By unanimous consent,

Mr. Chappell offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 339, entitled "An act to amend the charter of the city of Rochester, and to change its boundaries," be recommended to the committee on affairs of cities, retaining its place on general orders, in order that persons interested may be heard.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Neilson introduced a bill entitled "An act to extend the charter of the Saratoga Lake Bridge Company, in the county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Messrs. Pool, Clapp and Cormack presented petitions sustaining the Governor's veto of the Code of Civil Procedure; which were read and laid upon the table.

Mr. Thain presented a petition praying for the repeal of the Code of Civil Procedure; which was read and referred to the committee on the judiciary.

Mr. Case presented a petition of dentists of Oswego, against the passage of the bill amending the act incorporating dental societies; which was read and referred to the committee on general laws.

Also, a petition of citizens of Oswego, for an amendment to the assessment laws; which was read and referred to the committee on ways and means.

Also, a petition of citizens of Oswego, for the formation of mutual insurance companies; which was read and referred to the committee on insurance.

Mr. Cormack presented a petition of the wardens and vestry of St. Matthew's church, of Unadilla, for the passage of a bill relating to the temporal management of the Protestant Episcopal Church; which was read and referred to the committee on charitable and religious societies.

Mr. Brooks presented a petition of citizens of New York, that county jails, as prisons for convicts, be abolished; which was read and referred to the committee on state prisons.

Mr. Speaker announced the special order of the day being Assembly bill entitled "An act to secure better public administration in the local government of the city of New York."

The House then resolved itself into a committee of the whole on the above named bill; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hobbie, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. Speaker administered the oath of office to Mr. Charles H. Duell, as member of Assembly from the Thirteenth Assembly district of the county of New York.

Mr. Chappell moved that the vote by which the resolution relative to Assembly bill No. 339, entitled "An act to amend the charter of the city of Rochester, and to change its boundaries," be reconsidered.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to recommit said bill to the committee on affairs of cities, retaining its place on general orders, and that the committee be instructed to report within one week.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Brooks moved that Assembly bill entitled "An act to secure better public administration in the local government of the city of New York," be made a special order for 4½ o'clock P. M., to-morrow, April fourth.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 43.

NOES 22.

Those who voted in the affirmative, were

ABBOTT	CLARK	I. I. HAYES	NIVEN	SEEBACHER
ALVORD	CONVERSE	HENRY	NOYES	SHANLEY
BEARD	CORMACK	JONES	PALMER	SHEARD
BERRIGAN	CRAWFORD	KEEGAN	PATTERSON	SKINNER
BOUCK	FRANK	MCDONOUGH	DEWITT C. PECK	THAIN
BROOKS	GALVIN	MOLLER	PIPER	THOMSON
BROWNING	GRADY	MEYENBORG	PRESCOTT	WEMPLE
CHAPPELL	HAMILTON	NEILSON	ROBERTS	WINCH
CLANCY	HAVENS	NELSON		

Those who voted in the negative, were

BRUNDAGE	FITZGERALD	LOVELAND	POOL	WADSWORTH
CASE	HOBBIE	MATTISON	SAWYER	WARING
DALY	HOLBROOK	S. V. R. MILLER	SHELDON	WILBOR
DEYOE	HOYT	NORTH	TERRY	WILLIAMS
FISH	KING			

A communication was received and read, from the Governor, in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 3, 1878. }

To the Legislature :

I have the honor to transmit herewith a joint resolution of the Legislature of the State of Connecticut in relation to the boundary lines between that State and the State of New York.

L. ROBINSON.

Ordered, That said communication and accompanying document be referred to the committee on federal relations.

On motion of Mr. Fish, and at 7 o'clock and 23 minutes, the House adjourned.

THURSDAY, APRIL 4, 1878.

The House met pursuant to adjournment.

Prayer by Rev. F. O. Grannis.

The journal of yesterday was read and approved.

Mr. Fish moved that the Sergeant-at-Arms be instructed to have the double windows taken off, and the partition between the cloak room and the Assembly chamber be taken down.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the bills entitled as follows :

"An act for the relief of tax-payers owning mortgaged real estate," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to incorporate the Grand Council of Royal Templars of Temperance of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to amend chapter 380 of the Laws of 1852, entitled 'An act to incorporate the Canajoharie Water Works Company,' " which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wemple, and by unanimous consent, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DUELL	HOYT	NELSON	SEEBACHER
ALLEN	FISH	HULME	NIVEN	SEWELL
ALVORD	FLOYD-JONES	JONES	NORTH	SHEARD
ASTOR	FLYNN	KEEGAN	NOYES	SHELDON
BAKER	FOSTER	KELLOGG	PALMER	SKINNER
BEARD	GALVIN	KERN	PARKER	E. TAYLOR
BERRIGAN	GILBERT	KING	PATTENGILL	TERRY
BERRY	GRADY	LANGNER	CICERO C. PECK	THAIN
BOUCK	GRAHAM	LOVELAND	DEWITT C. PECK	THOMSON

BROOKS	GRIGGS	LOWING	PEEK	TOWNSLEY
BRUNDAGE	HALLIDAY	MAPES	PIPER	VALENTINE
CASE	HAMILTON	MATTISON	POOL	WAKELY
CHASE	HAVENS	MEAD	PRESCOTT	WEMPLE
CLAPP	I. I. HAYES	MEKEEL	PURDY	WHEELER
CLARK	J. HAYES	J. H. MILLER	REYNOLDS	WILBOR
CONVERSE	HOBBIE	S. V. R. MILLER	ROBERTS	WILLIAMS
CRAWFORD	HOLAHAN	MOLLER	ROWLAND	WINCH
CURRAN				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act in relation to arrears of taxes in the city of New York, and to provide for the reissuing of revenue bonds in anticipation of such taxes," with a message that they had concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled "An act to amend chapter 328 of the Laws of 1868, entitled 'An act to amend and continue in force an act entitled An act to incorporate an association for the relief of respectable aged indigent females in the city of New York, passed March 10, 1815, and the acts continuing in force and amending the same,'" with a message that they had agreed to the report of the committee of conference on said bill.

Ordered, That the Clerk return said bill to the Senate.

Mr. Berrigan introduced a bill entitled "An act in relation to the slaughtering and converting of animals into articles of merchandise and commerce in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord introduced a bill entitled "An act to amend chapter 7 of the Laws of 1878, entitled 'An act making appropriation for continuing work upon the new Capitol during the winter and spring of 1878, and for the demolition of the buildings known as Congress Hall,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Alvord moved to discharge the committee on ways and means from the further consideration of said bill, and that the same be read a third time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 94.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOLAHAN	NELSON	SHELDON
ALLEN	CRAWFORD	HOLBROOK	NORTH	SKINNER
ALVORD	CURRAN	HOYT	PALMER	SLITER
ASTOR	DEYOE	HULME	PATTENGILL	STRACK
BAKER	DUELL	HURD	DEWITT C. PECK	TERRY
BATHE	FISH	JONES	PEEK	THAIN
BEARD	FLOYD-JONES	KEEGAN	PIPER	THOMSON

BERRIGAN	FOSTER	KELLOGG	POOL	TOWNSLEY
BERRY	GALVIN	KERN	PRESCOTT	VALENTINE
BOUCK	GILBERT	KING	PURDY	WAKELY
BROOKS	GRADY	LANGNER	REYNOLDS	WARING
BROWNING	GRAHAM	LOVELAND	ROBERTS	WEMPLE
BRUNDAGE	GRIGGS	LOWING	ROWLAND	WHEELER
BURNS	HALLIDAY	MEAD	SAWYER	WILBOR
CASE	HAMILTON	MEKEEL	SEARING	WILLIAMS
CHASE	HAVENS	J. H. MILLER	SEEBACHER	WILLIS
CLAPP	I. I. HAYES	S. V. R. MILLER	SEWELL	WINCH
CONVERSE	J. HAYES	MOLLER	SHANLEY	WORTH
COSAD	HOBBIIE	MOOERS	SHEARD	

For the negative,

NIVEN

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Purdy introduced a bill entitled "An act relating to the preservation of records in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Nelson introduced a bill entitled "An act to amend an act entitled 'An act in relation to plank roads and turnpike roads,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Chappell introduced a bill entitled "An act to amend an act for the incorporation of villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of villages.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Cormack, Int. No. 646, entitled "An act to amend the statutes in reference to the collection of taxes in the county of Delaware," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the Senate bill, Int. No. 114, entitled "An act relative to the State survey, and making appropriation therefor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord moved to substitute said bill for Assembly bill No. 249, now on general orders, on the same subject.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Brooks, Int. No. 51, entitled "An act to authorize the survey of Staten Island, in order to establish the location and boundaries of grants of land made by the government of Great Britain," reported adversely thereto, which report was agreed to.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. D. W. C. Peck, Int. No. 109, entitled "An act declaring the Salmon river and its north branch, known as Mad river, public highways, and regulating the passage of lumber, logs and timber down the same, and to provide for the improvement thereof, and to make appropriation therefor," reported adversely thereto, which report was agreed to.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Day, Int. No. 533, entitled "An act to provide for the payment of local assessments made and levied upon the property of the State of New York, situate in the city of Buffalo," for the reason that the board of contract must pass upon it, reported adversely thereto, which report was agreed to.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Keegan, Int. No. 273, entitled "An act for the improvement of the navigation of Freeport creek, in the town of Hempstead, Queens county," reported adversely thereto, which report was agreed to.

Mr. Keegan moved to disagree to said report, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Graham, Int. No. 717, entitled "An act for the deepening and removal of obstructions from the Walkill river, in Orange county," reported adversely thereto, which report was agreed to.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Burns, Int. No. 510, entitled "An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor," for the reason that a bill has already been reported on the same subject, reported adversely thereto, which report was agreed to.

Mr. Gilbert offered, for the consideration of the House, a resolution in the words following :

Resolved, That the commissioners to revise the statutes be, and they are hereby permitted to withdraw the two bills submitted by them to this House, and entitled respectively, "An act amending the Code of Civil Procedure," and "An act relating to the fees, salaries and other compensation of officers connected with the administration of justice in civil proceedings."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Nelson, from the committee on general laws, to which was referred the bill introduced by Mr. Seebacher, Int. No. 789, entitled "An act to authorize the police department or board of police, of any city, to appoint policemen of district telegraph companies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Nelson, from the committee on general laws, to which was referred the bill introduced by Mr. Grady, Int. No. 771, entitled "An act for the protection of graves in cemeteries," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Nelson, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Goebel, Int. No. 104, entitled "An act to authorize corporations formed for manufacturing, mechanical, mining or chemical purposes, to mortgage their property and franchises," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Nelson, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Jacobs, Int. No. 117, entitled "An act to change the corporate name of the Mercantile Library Association of the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. W. C. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Niven, Int. No. 773, entitled "An act to amend chapter 664 of the Laws of 1873, entitled 'An act to organize the village of Monticello into a separate school district, and to provide for the purchase of a site and erection of a school edifice,'" reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Winch, Int. No. 699, entitled "An act to amend section 9 of chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and police constable in said village, and defining their jurisdiction, powers and duties,'" reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and police constables in said village, and defining their jurisdiction, powers and duties,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Berry, Int. No. 759, entitled "An act to amend chapter 523, Laws of 1870, entitled 'An act to incorporate the village of New Berlin, in Chenango county, and to repeal the present charter,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Harris, Int. No. 95, entitled "An act to repeal section 8 of chapter 36 of the Laws of 1863, entitled 'An act authorizing the village of West Troy to pave Broad street therein, from Auburn street to its southern terminus; to procure a steam fire-engine, and the necessary hose, hose carriage, lot and engine-house for the same, and to borrow money for such purposes; also, empowering the said village to light the streets thereof, and directing that the police constables of said village be uniformed and wear the badge of office,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Lippitt, Int. No. 107, entitled "An act to amend chapter 224 of the Laws of 1816, entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Madison, in the county of Madison,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Berry presented a report from the sub-committee of the whole.

Ordered, That said report be laid upon the table and printed.

(See Doc. No. 103.)

Mr. Case, from the committee on game laws, to which was referred the

bill introduced by Mr. Brundage, Int. No. 725, entitled "An act to prohibit the taking of certain kinds of fish from the waters of Loon lake, in the county of Steuben," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Case, from the committee on game laws, to which was referred the bill introduced by Mr. Speaker, Int. No. 764, entitled "An act to protect spawning fish in the Hudson river," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Astor, from the committee on militia, to which was referred the Senate bill introduced by Mr. Harris, Int. No. 64, entitled "An act to furnish approved arms to the Albany Burgess Corps," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Astor, from the committee on militia, to which was recommitted (retaining its place on general orders) the bill introduced by Mr. Speaker, Int. No. 246, entitled "An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia; for the organization of the national guard of the State of New York, and for the public defence, and entitled the Military Code,'" re-reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Astor, and by unanimous consent, said bill was ordered reprinted.

Mr. Astor, from the committee on militia, to which was referred the resolution relative to issuing light cadet muskets to the Albany Academy, reported the same favorably to the House :

Resolved (if the Assembly concur), That the Governor be and he is hereby authorized and required, in his discretion, to issue to the Albany Academy, upon the requisition of the principal of that academy, approved by the president of the board of trustees thereof, light cadet muskets and equipments in amount and kind as may be necessary for the purpose of military instruction, not exceeding one hundred and twenty-five; provided, however, that no military property be issued under this resolution unless security for the safe-keeping and return thereof be first given by the said Albany Academy; and provided, further, that in case of need by the State, at any time, of the property of the State so issued, the same may be demanded and received by the Governor.

On motion of Mr. Astor, and by unanimous consent, said report and resolution were laid upon the table.

By unanimous consent,

Mr. Speaker, on behalf of Mr. E. Taylor, introduced a bill entitled "An act to confirm the election of village trustees in certain cases, and to provide for and determine by lot their respective terms of office," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HAMILTON	MEAD	SEEBACHER
ALLEN	CONVERSE	HAVENS	S. V. R. MILLER	SHEARD
ALVORD	CORMACK	I. I. HAYES	MOLLER	SHELDON
ANDREWS	COSAD	J. HAYES	MOOERS	SKINNER
ASTOR	CRANDALL	HOBBIE	NIVEN	STRACK
BAKER	CRAWFORD	HOYT	NOYES	SUTHERLAND
BATHE	CURRAN	HULME	PALMER	J. T. TAYLOR
BEARD	DALY	HURD	PARKER	TERRY
BERRIGAN	DUELL	JONES	PATTENGILL	THOMSON
BERRY	FISH	KELLOGG	PATTERSON	TOWNSLEY
BROOKS	FLOYD-JONES	KERN	DeWITT C. PECK	WEMPLE
BROWNING	GALVIN	KING	PIPER	WILBOR
BRUNDAGE	GILBERT	LANGNER	PRESCOTT	WILLIAMS
BURNS	GRAHAM	LOVELAND	REYNOLDS	WILLIS
CASE	GRIGGS	LOWING	ROBERTS	WINCH
CHAPPELL	HALIDAY	MCDONOUGH	SEARING	WORTH
CLAPP				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Chappell offered, for the consideration of the House, a resolution in the words following:

Resolved, That Senate bill No. 99, entitled "An act to repeal section 830 of chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Andrews introduced a bill entitled "An act to extend the time for the collection of State and county taxes in the city of Binghamton, in the county of Broome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Terry offered, for the consideration of the House, a privileged resolution in the words following:

Whereas, Considerable testimony must be taken by the committee on privileges and elections in the examination of the matters referred to them by the resolution of the House, passed March twenty-ninth, on the question of privilege raised by Mr. Fish;

Resolved, That Frederick Carman is hereby authorized to act as the stenographer of the committee in such matter, and that he shall be paid for his services as such stenographer, which shall include the making of one copy, in a plain hand, of the minutes and proceedings, the sum of fifteen cents per folio.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, as follows:

AYES 70.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HOYT	NIVEN	SHELDON
ALLEN	CLARK	HULME	NOYES	SKINNER
ALVORD	CONVERSE	HURD	PALMER	STRACK
ANDREWS	CORMACK	JONES	PATTERSON	TERRY
ASTOR	CRANDALL	KEEGAN	DeWITT C. PECK	THAIN

BAKER	CURRAN	KELLOGG	PEEK	THOMSON
BATHE	DUELL	KERN	PRESCOTT	TOWNSLEY
BERRIGAN	FISH	KING	PROPER	VALENTINE
BERRY	GALVIN	LOVELAND	PURDY	WARING
BROWNING	GILBERT	MATTISON	REYNOLDS	WEMPLE
BRUNDAGE	GRAHAM	MEKEEL	ROBERTS	WHEELER
CASE	HALLIDAY	J. H. MILLER	SAWYER	WILBOR
CHASE	HAMILTON	S. V. R. MILLER	SEWELL	WILLIS
CLANCY	HOBBIE	MOOERS	SHEARD	WINCH

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Prescott, Int. No. 538, entitled "An act to create a board of charities in the several counties of this State," reported in favor of the passage of the same, with amendments (Mr. Valentine dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Mooers, Int. No. 663, entitled "An act relative to the collection of taxes in the town of Plattsburgh, in the county of Clinton," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Moller, Int. No. 548, entitled "An act to limit and define the powers of the supervisors, town clerk, commissioner of highways and justices of the peace of the town of Pelham, in the county of Westchester," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Speaker announced the special order of the day being Assembly bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations."

The House then resolved itself into a committee of the whole on the above named bill, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Worth, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Speaker presented a communication from the Attorney-General, in response to a resolution of the Assembly, relative to the contracting of the labor of convicts.

On motion of Mr. Alvord, said communication was referred to the committee on state prisons.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act to amend chapter 7 of the Laws of 1878, entitled 'An act making appropriation for continuing work upon the New Capitol during the winter and spring of 1878, and for the demolition of the buildings known as Congress Hall.'"

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received and read from the Governor in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 4, 1878. }

To the Legislature:

I have the honor to transmit herewith the Annual Report of Brigadier-

General Daniel D. Wylie, Commissary General and Chief of Ordnance of the State of New York, for the year 1877.

L. ROBINSON.

With accompanying document.

Ordered, Printed, in connection with the Adjutant-General's Report.

(*See Doc. No. 104.*)

Mr. Speaker presented a resolution of the common council of the city of New York, relative to a bill now before the Legislature, which proposes to take from the board of aldermen the confirmation or rejection of the nominees of the mayor for heads of the several departments of the city government, which was read and referred to the committee on affairs of cities.

By unanimous consent,

Mr. McDonough introduced a bill entitled "An act requiring receivers of corporations to make reports," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Nelson offered, for the consideration of the House, resolutions in the words following:

Whereas, The railroad committee have been instructed to inquire what further legislation is necessary to compel the elevated railroads in New York city to comply with the requirements of their charters in the matter of extending their tracks to the upper portion of the city; and to investigate as to the truth of the charges that these roads have entered into a combination to discontinue their tracks in certain avenues, for their mutual benefit;

Resolved, That the railroad committee also inquire what amount of bonds and stock has been issued by these companies, by whom the same is held, what contracts, if any, they have entered into for the building of their roads, and with whom and upon what terms these contracts have been made.

Resolved, That, in carrying on this investigation, the committee be empowered to send for persons and papers.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

Mr. Grady moved that the committee on general laws be discharged from the further consideration of Assembly bill entitled "An act for the protection of graves in cemeteries," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Terry moved to add, at the end of the resolution adopted by the Assembly this morning, the words "that said committee are hereby authorized to send for persons and papers, and to hold sessions, and to take testimony in the city of New York."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Waring, from the committee on insurance, to which was referred the bill introduced by Mr. Terry, Int. No. 581, entitled "An act for the distribution of the funds now in the Insurance Department, which funds now stand to the credit of the National Life Insurance Company of New York, for the security of policyholders," reported in favor of the

passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waring, from the committee on insurance, to which was referred the bill introduced by Mr. Hepburn, Int. No. 405, entitled "An act in relation to life insurance," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

The hour of two o'clock having arrived, the House took a recess until half-past four o'clock P. M.

HALF - PAST FOUR O'CLOCK, P. M.

The House again met.

Mr. Converse offered, for the consideration of the House, a resolution in the words following :

Resolved, That the Assembly bill, No. 296, G. O. 341, entitled "An act for the relief of the Port Byron Free School district in the town of Mentz, in the county of Cayuga," be recommitted to the committee on ways and means, for amendment, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Prescott, from the committee on railroads, to which was referred the resolution offered by Mr. Thain, in the words following, reported in writing, and by a bill entitled "An act to amend chapter 606 of the Laws of 1875, entitled 'An act further to provide for the construction and operation of a steam railway or railways in counties of the State,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole :

"Resolved, That the committee on railroads be and they hereby are directed to inquire into and report, by bill or otherwise, within thirty days, such legislation, if any, as may be necessary to compel the New York Elevated Railroad Company and the Gilbert Elevated Railroad Company, to proceed with the completion of their respective railways above Fifty-ninth street, in the city of New York, and otherwise in that respect, and in respect to the time of running their trains, and rates of fare, that said railways shall, to some extent, be operated in the interests of the people."

On motion of Mr. Moller, and by unanimous consent, said resolution, in writing, was ordered laid upon the table and printed.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Brooks, Int. No. 788, entitled "An act to provide for cleaning the streets of the city of New York, the collection of the ashes, garbage and street sweepings of the city, and the disposition of the materials," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Fish moved that said bill be recommitted, when printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Galvin, Int. No. 215, entitled "An act to amend an act, passed April, 1862, entitled 'An act for the better protection of life and property in the city of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Astor, Int. No. 615, entitled "An act to provide for cleaning the streets in the city of New York," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 116, entitled "An act further to amend chapter 863, of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. North, from the committee on civil divisions, to which was referred the bill introduced by Mr. Cormack, Int. No. 583, entitled "An act to alter the boundary line between the towns of Davenport and Meredith, in the county of Delaware," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waring, from the committee on insurance, to which was referred the bill introduced by Mr. Hepburn, Int. No. 675, entitled "An act to facilitate the proper disposition of funds deposited in the Insurance Department, for the security of policyholders in life insurance companies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Lowing, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Chappell, Int. No. 761, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The privileges of the floor were granted to the Hon. E. Coggeshall, a former member of this House.

Mr. Hamilton presented petitions of the owners and masters of vessels in favor of the repeal of an act entitled "An act concerning the pilots of the East river, commonly called Hell-Gate;" which were read and referred to the committee on commerce and navigation.

The Senate returned the resolution relative to printing the Annual Report of the Prison Association of New York, with a message that they had concurred in the amendments of the Assembly thereto.

The Senate returned the resolution relative to the passage by Congress of the United States of a bill transferring the control of the life-savings service on the seaboard and lake coasts from the Treasury to the Navy Department, with a message that they had concurred in the passage of the same.

This being the day assigned, under the rule, for the consideration of general orders,

Mr. Bergen moved that the Assembly bill entitled "An act to further amend the act entitled 'An act authorizing the incorporation of rural

cemetery associations,' passed April 27, 1847," be recommitted to the committee on general laws, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the bills and concurrent resolutions entitled as follows:

"An act to provide against the use of unsuitable and dangerous telegraph poles in the city of New York."

"Concurrent resolutions proposing amendments to section 6 of article 10, and sections 3, 5 and 6 of article 3 of the Constitution."

"An act to amend chapter 484 of the Laws of 1862, entitled 'An act in relation to the courts in the city and county of New York,' passed April 24, 1862."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Kern, from said committee, reported progress on the first and last named bills, and asked and obtained leave to sit again.

Mr. Kern, from the same committee, also reported progress on the above named concurrent resolutions, and asked and obtained leave to sit again.

Mr. Astor moved to discharge the committee of the whole from the further consideration of the first named bill, and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, as follows:

AYES 62.

NOES 43.

Those who voted in the affirmative, were

ANDREWS	CURRAN	KELLOGG	PARKER	SEARING
ASTOR	DALY	KERN	PATTENGILL	SEWELL
BATHE	DOUGLASS	KING	PATTERSON	SKINNER
BEARD	FISH	LANGNER	PIPER	J. T. TAYLOR
BERGEN	FITZGERALD	MCDONOUGH	POOL	TERRY
BERRY	FLYNN	J. H. MILLER	PRESCOTT	TOWNSLEY
BRUNDAGE	FOSTER	S. V. R. MILLER	PROPER	VALENTINE
BURNS	GALVIN	MOOERS	PURDY	WEMPLE
CASE	HOBBIE	MEYENBORG	REYNOLDS	WHEELER
CHASE	HOLBROOK	NELSON	ROBERTS	WILBOR
CONVERSE	HULME	NIVEN	ROWLAND	WILLIAMS
CRANDALL	HURD	NORTH	SAWYER	WILLIS
CROWLEY	JONES			

Those who voted in the negative, were

ALLEN	CRAWFORD	I. I. HAYES	MEKEEL	SHEARD
ALVORD	DEYOE	HENRY	MOLLER	SHELDON
BERRIGAN	DUELL	HOLAHAN	NOYES	STORY
BOUCK	FLOYD-JONES	KEATOR	PALMER	STRACK
BROOKS	GILBERT	KEEGAN	CICERO C. PECK	THAIN
BROWNING	GRIGGS	LOVELAND	DEWITT C. PECK	THOMSON
CLANCY	HALLIDAY	LOWING	PEEK	WARRING
CORMACK	HAMILTON	MATTISON	SHANLEY	WINCH
COSAD	HAVENS	MEAD		

On motion of Mr. Alvord, and at 6 o'clock and 15 minutes, the House adjourned.

FRIDAY, APRIL 5, 1878.

The House met pursuant to adjournment.

Prayer by Rev. F. O. Grannis.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. I. I. Hayes offered, for the consideration of the House, resolutions in the words following:

Resolved, That Assembly bill No. 312, G. O. 356, entitled "An act making appropriation to pay the expenses of the canals for the fiscal year 1878," be made a special order for Wednesday morning, April 9, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Resolved, That the concurrent resolution, proposing amendments to article 7 of the Constitution, be made a special order immediately thereafter.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Resolved, That Assembly bill No. 367, G. O. 14, entitled "An act in relation to the canals," be made a special order immediately after the concurrent resolutions.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Nelson moved that Assembly bill entitled "An act to amend subdivision 2 of section 5 of title 1, chapter 13, part 1 of the Revised Statutes of the State of New York," be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Brooks offered, for the consideration of the House, resolutions in the words following:

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested, in view of the decision of the Supreme Court of the United States adverse to the right of the States to pass laws imposing any *per capita* tax upon immigrants to provide for their support in cases of poverty or sickness, to urge upon Congress the necessity of some provision by federal law to relieve this State from the burdens of a tax which it has been declared this State cannot pass, in its own right, without a violation of the Constitution of the United States.

Resolved (if the Senate concur), That a copy of this resolution, signed by the presiding officers of the Legislature, be forwarded to our Senators and Representatives in Congress.

By unanimous consent, the rules were suspended, in order that said resolutions might be considered immediately.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolutions to the Senate, and request their concurrence therein.

Mr. Waring introduced a bill entitled "An act to regulate and control the raising and spending of the public moneys in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act for the relief of officers who have executed conveyances of property sold by virtue of an execution, or pursuant to a judgment prior to March 23, 1878," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Astor introduced a bill entitled "An act relative to notice of sales in foreclosure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Waring introduced a bill entitled "An act to legalize the acts of surrogates and officers acting as such in granting letters of administration, and to provide for the issuing of such letters in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Galvin introduced a bill entitled "An act to regulate the rents or charges to be made for the use of real property owned or held in trust by eleemosynary, charitable or religious corporations in the State of New York, and now or hereafter leased to tenants for a ground rental, and to regulate the term and duration of leases thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Galvin, and by unanimous consent, said bill was ordered printed.

Mr. I. I. Hayes, from the committee on canals, to which was referred the bill introduced by Mr. Beard, Int. No. 660, entitled "An act to empower the trustees of the village of Horse-Heads to build a dam across the Chemung canal at any place they may select south of the junction of the Chemung canal and feeder within the limits of the corporation of the village of Horse-Heads," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clapp, from the committee on banks, to which was referred the bill introduced by Mr. Clapp, Int. No. 693, entitled "An act to prevent the insolvency of banks and banking associations, and for other purposes," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish moved to discharge the sub-committee of the whole from the further consideration of Assembly bill No. 297, entitled "An act relating to contracts for lighting the public lamps in the city of New York," and that the same do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HULME	MEYENBORG	SEEBACHER
ALVORD	CROWLEY	HURD	NEILSON	SEWELL
ANDREWS	CURRAN	JONES	NELSON	SHEARD
ASTOR	DALY	KEATOR	NORTH	SHELDON
BAKER	FISH	KEEGAN	NOYES	SKINNER
BATHE	FLOYD-JONES	KERN	PALMER	TERRY
BEARD	FOSTER	KING	PARKER	THAIN
BERGEN	GRAHAM	LOVELAND	PATTENGILL	THOMSON
BERRY	HALLIDAY	LOWING	CICERO C. PECK	TOWNSLEY
BROOKS	HAMILTON	MAPES	DEWITT C. PECK	VALENTINE
BROWNING	HAVENS	MATTISON	PEEK	WARING
BRUNDAGE	I. I. HAYES	MEKEEL	PRESCOTT	WHEELER
CLAPP	J. HAYES	J. H. MILLER	PROPER	WILBOR
CLARK	HOBBIE	S. V. R. MILLER	REYNOLDS	WILLIAMS
CORMACK	HOLBROOK	MOLLER	SAWYER	WILLIS
COSAD	HOYT	MOOERS	SEARING	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Crowley presented a petition of 12,000 citizens of Buffalo against convict contract labor in the State prisons, accompanied by resolutions adopted at a mass meeting held in Buffalo, March 26, 1878; which was read and referred to the committee on state prisons.

Messrs. Sawyer and Griggs presented petitions in favor of an amendment to the assessment laws; which were read and referred to the committee on ways and means.

Messrs. Daly and Loveland presented petitions sustaining the Governor's veto of the Code of Civil Procedure; which were read and laid upon the table.

Mr. Andrews presented petitions of members of the bar of Broome county, in favor of the repeal of the Code of Civil Procedure; which were read and referred to the committee on the judiciary.

Also, presented a petition of members of the bar of Broome county, against the repeal of the Code of Civil Procedure; which was read and referred to the committee on the judiciary.

Mr. Hurd presented a petition in favor of an amendment to the charter of Williamsville, Erie county; which was read and referred to the committee on affairs of villages.

Also, a petition against an amendment to the charter of Williamsville, Erie county; which was read and referred to the committee on affairs of villages.

Mr. Palmer presented a petition of attorneys of Potsdam for the repeal of the Code of Civil Procedure; which was read and referred to the committee on the judiciary.

Mr. Sawyer presented a petition of citizens of Tioga county, in favor of mutual insurance companies; which was read and referred to the committee on insurance.

By unanimous consent,

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Graham, Int. No. 737, entitled "An act extending the time for the completion of the New York and New England railroad," reported adversely thereto.

Mr. Graham moved that said report be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Thain, Int. No. 367, entitled "An act regulating the number of trains to be run on elevated railroads, at certain hours" (because of bill heretofore reported by said committee), reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Thain, Int. No. 409, entitled "An act prescribing the form and condition of the tracks to be maintained by all elevated railway companies in any of the cities, towns or villages of this State," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Niven, from the committee on general laws, to which was referred the bill introduced by Mr. C. C. Peck, Int. No. 755, entitled "An act to amend chapter 482, Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the the compensation of supervisors,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Niven, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Payne, Int. No. 128, entitled "An act to incorporate the Grand Council of Royal Templars of Temperance of the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. I. I. Hayes offered, for the consideration of the House, a privileged resolution in the words following:

Resolved, That when this House adjourns, it be to meet Monday evening, April 8th, at eight o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 604 of the Laws of 1875, entitled 'An act to prevent the deposit of carion, offal, or dead animals in the North and East rivers, or in the bay of New York or Raritan bay, within the jurisdiction of the State of New York,' passed June 18, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend chapter 549 of the Laws of 1874, entitled 'An act to provide for the planting and protection of oysters in those portions of the Great South Bay lying in the town of Islip, Suffolk county, wherein the taking of clams cannot be profitably followed as a business,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Havens, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	I. I. HAYES	MOLLER	SAWYER
ALLEN	COSAD	J. HAYES	MOOERS	SEARING
ALVORD	CRANDALL	HOBBIE	MEYENBORG	SEEBACHER
ANDREWS	CRAWFORD	HOLBROOK	NEILSON	SHEARD
ASTOR	CROWLEY	HURD	NORTH	SHELDON
BAKER	CURRAN	JONES	NOYES	SKINNER
BATHE	DALY	KEATOR	PALMER	STORY
BEARD	DEYOE	KEEGAN	PARKER	TERRY
BERGEN	FISH	KING	PATTENGILL	THAIN
BERRIGAN	FITZGERALD	LOVELAND	PATTERSON	THOMSON
BERRY	FLOYD-JONES	LOWING	DEWITT C. PECK	TOWNSLEY
BROOKS	FOSTER	MAPES	PEEK	VALENTINE
BROWNING	GALVIN	MATTISON	PIPER	WARING
BRUNDAGE	GRAHAM	MEAD	POOL	WILBOR
CLANCY	HALLIDAY	MEKEEL	PRESCOTT	WILLIAMS
CLAPP	HAMILTON	J. H. MILLER	PROPER	WILLIS
CLARK	HAVENS	S. V. R. MILLER	REYNOLDS	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

“An act to extend the time for the collection of State and county taxes in the city of Binghamton, in the county of Broome,” which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Andrews, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HAVENS	MOLLER	SEEBACHER
ALLEN	CRANDALL	I. I. HAYES	MOOERS	SEWELL
ALVORD	CRAWFORD	HOBBIE	MEYENBORG	SHANLEY
ANDREWS	CROWLEY	HOLAHAN	NEILSON	SHEARD
ASTOR	CURRAN	HOLBROOK	NIVEN	SKINNER
BAKER	DALY	HURD	NORTH	SUTHERLAND
BATHE	DEYOE	JONES	NOYES	TERRY
BEARD	DUELL	KEATOR	PALMER	THOMSON
BERRIGAN	FISH	KEEGAN	PARKER	TOWNSLEY
BERRY	FLOYD-JONES	KING	PATTENGILL	VALENTINE
BOUCK	FLYNN	LOVELAND	PATTERSON	WAKELY
BROOKS	FOSTER	LOWING	CICERO C. PECK	WARING
BROWNING	GALVIN	MAPES	DEWITT C. PECK	WEMPLE
BRUNDAGE	GILBERT	MEAD	PIPER	WHEELER
CASE	GRAHAM	MEKEEL	PRESCOTT	WILLIAMS
CLAPP	GRIGGS	J. H. MILLER	PURDY	WILLIS
CORMACK	HALLIDAY	S. V. R. MILLER	SAWYER	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

“An act to amend the charter of the corporation of the Chamber of Commerce of the State of New York,” which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Brooks, and by unanimous consent, said bill was substituted for the Assembly bill on the same subject, and now on the order of third reading of bills.

Mr. Brooks then moved, by unanimous consent, that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	I. I. HAYES	MOLLER	SEARING
ALLEN	CRAWFORD	HOBBIE	MOOERS	SEWELL
ANDREWS	CROWLEY	HOLAHAN	MEYENBORG	SHEARD
ASTOR	CURRAN	HOYT	NEILSON	SHELDON
BAKER	DALY	HURD	NIVEN	SKINNER
BATHE	DEYOE	JONES	NORTH	STORY
BEARD	DUELL	KEATOR	PALMER	SUTHERLAND
BERGEN	FISH	KEEGAN	PARKER	THAIN
BERRIGAN	FITZGERALD	KERN	PATTENGILL	THOMSON
BERRY	FLOYD-JONES	LOVELAND	PATTERSON	TOWNSLEY
BROOKS	FOSTER	LOWING	CICERO C. PECK	VALENTINE
BROWNING	GALVIN	MAPES	DEWITT C. PECK	WARING
BRUNDAGE	GRAHAM	MCDONOUGH	PEEK	WEMPLE
CASE	GRIGGS	MEAD	PIPER	WILBOR
CLANCY	HALLIDAY	MEKEEL	PRESCOTT	WILLIAMS
CLAPP	HAMILTON	J. H. MILLER	REYNOLDS	WILLIS
CORMACK	HAVENS	S. V. R. MILLER	SAWYER	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

"An act to amend chapter 325 of the Laws of 1874, entitled 'An act to incorporate the village of Bath-on-the-Hudson, Rensselaer county, New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to authorize the trustees of Emily L. Shepard to convey lands in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 424 of the Laws of 1877, entitled an act in relation to the appointment of a State agent for the guidance and employment of discharged convicts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act for the relief of John Waller, Jr.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate returned the following entitled bills, with a message that they had concurred in the passage of the same :

"An act to confirm the election of trustees in the village of Marathon, in the county of Cortland, and to provide for and determine by lots their respective terms of office."

"An act in regard to the powers of the associate rector of St. Paul's Church in Buffalo, in the city of Buffalo, county of Erie, and State of New York."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence the bill entitled as follows:

"An act to amend chapter 69 of the Laws of 1873, entitled 'An act requiring commissioners of highways to give notice of the discontinuance of public highways.'"

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bill:

"An act to authorize the county clerk of Allegany county to sign the certificates of the record of deeds, mortgages and other papers recorded in the Allegany county clerk's office, and otherwise complete said records, where the same were not completed or certified by W. H. H. Russell, his immediate predecessor in office."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled "An act authorizing the common council of the city of Buffalo to raise and appropriate money for the poor fund," with a message that they had concurred in the passage of the same, with the following amendments:

Amend the title so as to read as follows:

"An act to authorize the common council of the city of Buffalo to increase the appropriation for the support of the poor, to meet the deficiency for the year 1877."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HOBBIE	MOOERS	SEWELL
ALLEN	CRANDALL	HOLAHAN	MEYENBORG	SHANLEY
ALVORF	CRAWFORD	HOLBROOK	NEILSON	SHEARD
ANDREWS	CROWLEY	HOYT	NIVEN	SHELDON
ASTOR	DALY	HURD	NORTH	SKINNER
BAKER	DEYOE	JONES	PALMER	STORY
BATHE	FISH	KEATOR	PARKER	J. T. TAYLOR
BEARD	FITZGERALD	KEEGAN	PATTENGILL	THAIN
BERGEN	FLOYD-JONES	KERN	CICERO C. PECK	TOWNSLEY
BERRIGAN	FLYNN	LOVELAND	DEWITT C. PECK	VALENTINE
BERRY	GALVIN	LOWING	PEEK	WAKELY
BOUCK	GILBERT	MAPES	PIPER	WARING
BROOKS	GRIGGS	MEAD	PROPER	WILBOR
BROWNING	HALLIDAY	MEKEEL	SAWYER	WILLIAMS
BRUNDAGE	HAMILTON	J. H. MILLER	SEARING	WILLIS
CASE	HAVENS	S. V. R. MILLER	SEEBACHER	WINCH
CLAPP	I. I. HAYES	MOLLER		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate returned the bill entitled "An act in relation to coroners' fees and post-mortem examinations in Monroe county," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, lines 5 and 6, strike out the words "one from each side of the Genesee river."

Section 2, lines 7 and 8, strike out the words "from the court to ;" also, in line 8, strike out the word "the," and insert the word "a."

Section 5, line 2, strike out the words "shall and."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HURD	NORTH	SHEARD
ALLEN	CURRAN	JONES	NOYES	SHELDON
ALVORD	DALY	KEATOR	PALMER	SKINNER
ANDREWS	DEYOE	KEEGAN	PARKER	STRACK
ASTOR	FISH	KERN	PATTENGILL	SUTHERLAND
BATHE	FLOYD-JONES	LOVELAND	CICERO C. PECK	J. T. TAYLOR
BEARD	FOSTER	LOWING	DEWITT C. PECK	THAIN
BERGEN	GALVIN	MAPES	PIPER	THOMSON
BERRIGAN	GRAHAM	MEAD	PRESCOTT	VALENTINE
BERRY	GRIGGS	MEKEEL	PURDY	WAKELY
BOUCK	HAMILTON	J. H. MILLER	ROBERTS	WARING
BROWNING	HAVENS	S. V. R. MILLER	ROWLAND	WEMPLE
BRUNDAGE	I. I. HAYES	MOLLER	SAWYER	WILBOR
CASE	HOBBIE	MOOERS	SEARING	WILLIAMS
CHASE	HOLBROOK	MEYENBORG	SEWELL	WILLIS
CLARK	HOYT	NIVEN	SHANLEY	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations."

By unanimous consent,

Mr. I. I. Hayes, from the committee on canals, to which was referred the bill introduced by Mr. Holbrook, Int. No. 69, entitled "An act to abolish the office of Canal Appraiser," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

By unanimous consent,

Mr. I. I. Hayes, from the committee on canals, to which was referred the Senate bill introduced by Mr. McCarthy, Int. No. 81, entitled "An act to amend chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights and other property connected therewith,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Halliday offered, for the consideration of the House, a preamble and resolution in the words following :

Whereas, The act entitled "An act to organize the Senate districts, and for the apportionment of the members of Assembly of this State," was ordered to a third reading nearly three weeks since ; and,

Whereas, The committee on engrossed bills have failed and neglected to report said bill up to this time ; and,

Whereas, Such unnecessary delay at this late day in the session leads to the conviction that it is a part of the scheme to defeat any kind of an apportionment during this session of the Legislature ; therefore,

Resolved, That the committee on engrossed bills be, and they are hereby directed to report said bill to this House, correctly engrossed for third reading on or before the close of the session on Monday evening next.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord offered, for the consideration of the House, a resolution in the words following :

Resolved, That the adverse reports of the committee on ways and means on the bills authorizing a survey of Staten Island ; declaring Salmon river and its north branch public highways ; for improving the navigation of Freeport creek ; for the removal of obstructions from Wallkill creek, be reconsidered, and that said resolution be laid upon the table.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That said resolution be laid upon the table.

Mr. Berrigan offered, for the consideration of the House, a resolution in the words following :

Resolved, That the police commissioners of the city of New York be directed to report within five days from the passage of this resolution,

1. The number of places in the city, of, at or on which what are commonly known as lottery or policy tickets are sold or offered for sale.

2. The location or situation of the said places, giving street or number where practicable.

3. The names of the proprietors or persons having charge of said places.

4. The number of arrests made within the last two years by the police force, for violations of the lottery law.

5. The number of convictions for such violations.

Resolved, That the district attorney of New York be requested to report within five days from the passage of this resolution :

First. The number of indictments and prosecutions within the last two years, for violations of the lottery laws.

Second. On whose complaint such prosecutions or indictments were had.

Third. The names of the persons prosecuted or indicted.

Fourth. What in each case has become of such indictments or prosecutions.

Debate arising thereon,

Ordered, That said resolutions be laid upon the table.

Mr. I. I. Hayes called from the table the concurrent resolution relative to the improvement of Spuyten Duyvil creek in the words following :

Whereas, The commercial interests of the whole country, and especially of the city and State of New York, demand the early improvement of Harlem river and Spuyten Duyvil creek, from the North river to the East river, through the Harlem kills, so as to afford a safe and convenient channel for vessels of all classes navigating the North river and bound for ports on the East river, Long Island sound, and in the eastern States, thus shortening the distance of the route between the North river and the waters of the sound, and a large portion of the city of Brooklyn lying on the East river, and between the North river and the eastern States, by more than twenty (20) miles around the Battery, of the tedious, expensive and unsafe navigation of the crowded waters

that skirt the city, and thus avoiding the dangerous passage through Hell Gate; and,

Whereas, There is an act now pending in the Congress of the United States having for its object an appropriation towards the accomplishment of said purpose: and,

Whereas, A survey and estimate has already been made by the United States authorities, in which the cost of said work is shown and its importance fully set forth; and,

Whereas, The means for carrying on this work will be derived from the federal revenue, to which this State contributes in customs, giving out of its commerce over twenty-one millions of dollars, or nearly three-fourths of the total customs revenue, and the sum of nineteen millions of dollars of internal revenue, making a total of over one hundred and ten millions so contributed by this State; and,

Whereas, By the estimates of the United States engineers, it appears that but one million four hundred thousand dollars will be required to make a navigable channel, and the said sum is less than one and a half per cent upon the revenues contributed in one year by the State of New York to the United States; now, therefore, be it and it is hereby

Resolved (If the Assembly concur), That our Senators and Representatives in Congress be requested to use their influence to secure the passage of the act now pending providing an appropriation for the furtherance of the improvement of Harlem river and Spuyten Duyvil creek.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Allen offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of Senate bill, No. 181, entitled "An act for the relief of tax-payers owning mortgaged real estate," and that the same be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Chase offered, for the consideration of the House, a resolution in the words following:

Whereas, The facility for procuring drinking water is unequally distributed in this House; therefore,

Resolved, That the same facility be provided for the south side of the House as is now upon the north.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Brooks called from the table the concurrent resolution, previously offered by him, in the words following:

Resolved (if the Senate concur), That a special committee of five persons be appointed, with power to send for persons and papers, and to employ a stenographer, whose duty it shall be to investigate the abuse alleged to exist in the management of the railroads chartered by this State, and to inquire into and report concerning their powers, contracts and obligations; said committee to take testimony in the city of New York and such other places as they may deem necessary, and to report

to the Legislature either at the present or the next session, by bill or otherwise, what, if any, legislation is necessary to protect and extend the commerce of the State.

On motion of Mr. Alvord, and by unanimous consent, said resolution was referred to the committee on railroads.

Mr. Reynolds moved that the committee of the whole be discharged from the further consideration of Assembly bill, No. 363, entitled "An act in relation to auctioneers," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Browning introduced a bill entitled "An act for the better protection of the mechanics of this State by regulating the use of convict labor in the several prisons of the State, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on state prisons.

By unanimous consent,

Mr. Bergen introduced a bill entitled "An act amending the map of the town survey commission of Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Also, a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Purdy moved that Assembly bill entitled "An act in relation to the public schools of the city of Yonkers," be recommitted to the committee on public education, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Seebacher moved that the committee of the whole be discharged from further consideration of Assembly bill entitled "An act to amend chapter 33 of the Laws of 1878, entitled 'An act to amend chapter 516 of the Laws of 1867, entitled An act for the further protection of female employes in the city of New York,'" and that said bill now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOLBROOK	NIVEN	SHELDON
ALLEN	CURRAN	HOYT	NOYES	SKINNER
ASTOR	DALY	JONES	PARKER	SUTHERLAND

BAKER	DEYOE	KEATOR	PATTENGILL	J. T. TAYLOR
BATHE	FISH	KEEGAN	CICERO C. PECK	TERRY
BEARD	FLOYD-JONES	LOVELAND	DEWITT C. PECK	THAIN
BERGEN	FLYNN	LOWING	PEEK	THOMSON
BERRY	GALVIN	MAPES	PIPER	TOWNSLEY
BOUCK	GILBERT	MATTISON	PRESCOTT	VALENTINE
BROOKS	HALLIDAY	MEKEEL	PROPER	WAKELY
BROWNING	HAMILTON	J. H. MILLER	ROBERTS	WARING
BRUNDAGE	HAVENS	S. V. R. MILLER	SAWYER	WILBOR
BURNS	J. HAYES	MOOERS	SEEBACHER	WILLIAMS
CHASE	HENRY	MEYENBORG	SHANLEY	WILLIS
CLAPP	HOBBIE	NELSON	SHEARD	WINCH
CLARK	HOLAHAN			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the following bill, with a message that they had concurred in the passage of the same :

“An act to amend chapter 35 of the Laws of 1873, entitled ‘An act to re-enact and amend an act entitled An act to incorporate the city of Yonkers, passed June 1, 1872, passed February 28, 1873.’”

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bills entitled as follows :

“An act to amend chapter 159 of the Laws of 1855, entitled ‘An act to allow the trustees, directors or managers of incorporated asylums to bind out orphans or indigent children surrendered to their care.’”

“An act to amend section 21 of article 3, title 3, chapter 6, part 1 of the Revised Statutes.”

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Speaker announced the order of business, general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

“An act to establish and provide for the New York State Experimental Station.”

“An act to incorporate the Tornado Hook and Ladder Company No. 1, of the village of Union, Broome county, New York.”

“An act to amend chapter 484 of the Laws of 1862, entitled ‘An act in relation to the courts in the city and county of New York,’ passed April 24, 1862.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sewell, from said committee, reported in favor of the passage of the first and second named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Sewell, from the same committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Hayes moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading with the amendments adopted in the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

“An act to incorporate the New York and Western Pipe Company.”

“An act to release to Jane Berry, of the town of Fallsburgh, Sullivan county, New York, the right, title and interest of the people of the State of New York in the real estate of which William Rescola died seized,”

"An act to amend an act entitled 'An act to revise and consolidate the several acts relating to public instruction,' passed May 2, 1864, as amended by an act passed April 16, 1867."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sheard, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Sheard, from the same committee, also reported in favor of the passage of the two last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

By unanimous consent,

Mr. North introduced a bill entitled "An act to facilitate the completion of the Syracuse, Phoenix and Oswego railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Wilbor moved that Assembly bill entitled "An act to amend chapter 373 of the Laws of 1866, entitled 'An act to authorize any town in the counties of Columbia or Rensselaer to aid in the completion of the Lebanon Springs railroad,'" be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to provide for a better administration of the public charities in the county of Kings, and for the creation of a department of public charities therein."

"An act to amend chapter 373 of the Laws of 1866, entitled 'An act to authorize any town in the counties of Columbia or Rensselaer to aid in the completion of the Lebanon Springs railroad.'"

"An act to amend chapter 447 of the Laws of 1877, entitled 'An act to establish the boundaries of school district No. 5 of the town of Flushing, and to provide for the collection of school taxes therein, and conferring additional powers and duties upon the board of education of said district.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Beard, from said committee, reported progress on the first and last named bills, and asked and obtained leave to sit again.

Mr. Beard, from the same committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Floyd-Jones moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Floyd-Jones moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was decided in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Floyd-Jones, and it was determined in the affirmative.

Said bill was then ordered engrossed for a third reading.

By unanimous consent,

Mr. Galvin introduced a bill entitled "An act to amend section 2 of the act entitled 'An act to regulate places of public amusement in the cities and incorporated villages of this State,'" which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Galvin, and by unanimous consent, said bill was ordered printed.

By unanimous consent,

Mr. Niven, from the committee on general laws, to which was referred the bill introduced by Mr. Pool, Int. No. 435, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and at 12 o'clock and 55 minutes, the House adjourned.

MONDAY, APRIL 8, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Clark.

The journal of Friday, April 5, was read and approved.

The Senate returned the resolution relative to bills now before Congress, relating to equity in rates of freight on property transported by common carriers in this country, with a message that they had concurred in the passage of the same.

Also, the resolution relative to the *per capita* tax upon immigrants, to provide for their support in cases of poverty or sickness, with a message that they had concurred in the passage of the same.

Also, the resolution relative to printing and binding the Annual Report of the State Engineer and Surveyor on Railroads, with a message that they had concurred in the passage of the same.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act to amend chapter 135 of the Laws of 1876, entitled 'An act to provide for the incorporation of companies to construct plank roads, and for companies to construct turnpike roads, passed May 7, 1847, to extend their charter or corporate existence.'"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate sent for concurrence the bill entitled as follows:

"An act to amend chapter 466 of the Laws of 1877, entitled 'An act in relation to assignments of the estates of debtors for the benefit of creditors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Berry introduced a bill entitled "An act to amend chapter 833, Laws of 1873, entitled 'An act to regulate the fees of coroner,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sewell introduced a bill entitled "An act to amend an act entitled 'An act in relation to laying out public roads, and the alteration thereof,' passed May 28, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Sheard introduced a bill entitled "An act for the relief of Levi F. Carpenter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Grady introduced a bill entitled "An act providing for the appointment of an additional number of commissioners of deeds in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Grady, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	FISH	HULME	NIVEN	SEWELL
ALLEN	FITZGERALD	HURD	NOYES	SHANLEY
ALVORD	FLOYD-JONES	JONES	PALMER	SHEARD
BAKER	FLYNN	KEEGAN	PATTENGILL	SHELDON
BERGEN	FOSTER	KELLOGG	PATTERSON	SKINNER
BERRIGAN	GALVIN	KERN	CICERO C. PECK	SLITER
BERRY	GILBERT	LANGNER	DEWITT C. PECK	STRACK
BROOKS	GRADY	LOWING	PEEK	TERRY
BROWNING	GRAHAM	MAPES	PIPER	THAIN
BURNS	HALLIDAY	MATTISON	POOL	THOMSON
CASE	HAMILTON	MCDONOUGH	PRESCOTT	VALENTINE
CHASE	J. HAYES	MEAD	PROPER	WADSWORTH
CLANCY	HENRY	MEKEEL	PURDY	WAKELY
CORMACK	HEPBURN	S. V. R. MILLER	REYNOLDS	WILBOR
CRANDALL	HOBBIE	MEYENBORG	ROWLAND	WILLIAMS
CURRAN	HOLAHAN	NEILSON	SEARING	WINCH
DOUGLASS	HOYT	NELSON	SEEBACHER	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Prescott introduced a bill entitled "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Brooks offered, for the consideration of the House, a privileged resolution in the words following:

Resolved, That a respectful message be sent to the Senate, requesting the return of Assembly bill No. 275, G. O. 321, entitled "An act to repeal chapter 888 of the Laws of 1869, entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the drainage of swamps, marshes and other low or wet lands, and for draining lands;' also chapter 303 of the Laws of 1876, entitled 'An act to amend an act entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the drainage of swamps, marshes and other low or wet lands, and for draining farm lands.'"

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Searing introduced a bill entitled "An act to define the liberties of the jail for the county of Ulster," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Halliday introduced a bill entitled "An act in relation to railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Allen moved to discharge the committee of the whole from the further consideration of Assembly bill entitled "An act to amend section 7 of title 13 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" and that said bill now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	FLOYD-JONES	JONES	NOYES	SEWELL
ALLEN	FLYNN	KEEGAN	PALMER	SHANLEY
ALVORD	FOSTER	KELLOGG	PATTENGILL	SHEARD
BAKER	GALVIN	KERN	PATTERSON	SHELDON
BERGEN	GILBERT	KING	CICERO C. PECK	SKINNER
BERRIGAN	GRADY	LANGNER	DEWITT C. PECK	STRACK
BERRY	GRAHAM	MAPES	PEEK	TERRY
BROOKS	HALLIDAY	MATTISON	PIPER	THAIN
BROWNING	HAMILTON	MCDONOUGH	POOL	THOMSON
BURNS	J. HAYES	MEAD	PRESCOTT	VALENTINE
CASE	HENRY	MEKEEL	PROPER	WADSWORTH
CHAPPELL	HEPBURN	S. V. R. MILLER	PURDY	WAKELY
CHASE	HOBBIE	MOLLER	REYNOLDS	WILBOR
CORMACK	HOLAHAN	MEYENBORG	ROWLAND	WILLIAMS
CRANDALL	HOYT	NEILSON	SEARING	WINCH
CURRAN	HULME	NELSON	SEEBACHER	WORTH
FISH	HURD	NIVEN		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Berry called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 178, No. 156, entitled "An act to authorize the Comptroller to compromise and settle old judgments and contract debts."

G. O. 65, No. 55, entitled "An act to provide for the sanitary inspection of common schools and school buildings in the city and county of New York."

G. O. 348, No. 306, entitled "An act in addition to an act entitled 'An act relating to the Union cemetery in the town of Bushwick, county of Kings.'"

G. O. 240, No. 210, entitled "An act to secure the payment of mechanics, laborers and workmen who perform work; also persons furnishing materials towards the erection, altering or repairing buildings, wharfs, vaults or other structures in the city and county of New York." [With amendments.]

G. O. 388, No. 345, entitled "An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank roads and turnpikes, so far as the same relates to Ulster county.'"

G. O. 371, No. 326, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages, so far as the same relates to the village of Northville, in the county of Fulton.'" [With amendments.]

G. O. 231, No. 201, entitled "An act to amend section 1, chapter 316 of the Laws of 1876, entitled 'An act relative to judgments entered upon forfeited recognizances in the city and county of New York.'"

Senate, G. O. 368, No. 160, entitled "An act to annex the village of West Mount Vernon in the county of Westchester to the village of Mount Vernon in the said county, to confirm the tax sales heretofore held in the said village of West Mount Vernon and to provide for the division of the said village of Mount Vernon into wards after the annexation of the said village of West Mount Vernon."

G. O. 334, No. 289, entitled "An act to secure the better application of funds to relieve the poor in the town of Plattsburgh, in the county of Clinton."

G. O. 306, No. 261, entitled "An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'" [With an amendment.]

G. O. 365, No. 321, entitled "An act to authorize the trustees of school district No. 2 of the town of Hinsdale to lease the upper story of the district school-house to the town of Hinsdale for a town hall and other purposes." [With an amendment.]

G. O. 311, No. 266, entitled "An act to amend chapter 108 of the Laws of 1873, entitled 'An act to provide for the construction and improvement of the road from Piseco lake to Claflin's tannery, in the county of Hamilton.'"

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bills were then ordered engrossed for a third reading.

Mr. Douglass presented a petition of Thomas A. Beveyn, praying for relief from exorbitant assessment; which was read and referred to the committee on the judiciary.

Mr. Searing presented a remonstrance of citizens of Castile, Wyoming county, against the pending law in relation to dentistry; which was read and referred to the committee on the judiciary.

Messrs. Cormack, Bergen, Hulme and Searing, presented petitions in reference to the Governor's veto and repeal of the thirteen chapters of the Code of Civil Procedure; which were read and laid upon the table.

The privileges of the floor were granted to the Hon. Geo. Berry.

Mr. Speaker announced the order of business, third reading of bills.

Mr. Alvord moved that said order of business be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. I. I. Hayes introduced a bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local govern-

ment of the city of New York,'” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr Speaker announced the order of business, general orders.

In connection with said order of business, Mr. Holahan offered the following resolution :

Resolved, That Assembly bill No. 283, entitled “An act to amend chapter 175 of the Laws of 1870, entitled ‘An act regulating the sale of intoxicating liquors,’” be considered in the first committee of the whole, not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof, as follows :

AYES 58.

NOES 29.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HAMILTON	MEAD	PROPER
ALVORD	CROWLEY	I. I. HAYES	MOLLER	PURDY
BAKER	CURRAN	J. HAYES	MEYENBORG	SEARING
BERGEN	DOUGLASS	HENRY	NEILSON	SEEBACHER
BERRIGAN	FITZGERALD	HOBBIE	NELSON	SHANLEY
BROOKS	FLOYD-JONES	HOLAHAN	NIVEN	SLITER
BROWNING	FLYNN	HULME	PATTENGILL	STRACK
BURNS	FOSTER	HURD	PATTERSON	THAIN
CASE	GALVIN	JONES	CICERO C. PECK	THOMSON
CHASE	GRADY	KELLOGG	PIPER	WILBOR
CLANCY	GRAHAM	LANGNER	PRESCOTT	WORTH
CORMACK	HALLIDAY	MCDONOUGH		

Those who voted in the negative, were

ABBOTT	HOYT	S. V. R. MILLER	REYNOLDS	SKINNER
ANDREWS	KING	NOYES	ROWLAND	TERRY
CLAPP	LOWING	PALMER	SAWYER	VALENTINE
DEYOE	MAPES	DEWITT C. PECK	SEWELL	WADSWORTH
GILBERT	MATTISON	PEEK	SHEARD	WILLIAMS
HEPBURN	MEKEEL	POOL	SHELDON	

When the name of Mr. Chappell was called, he stated that he was paired with Mr. Loveland.

When the name of Mr. Fish was called, he stated that he was paired with Mr. Frank.

Mr. Winch paired with Mr. Daly.

Mr. Alvord moved that all escheat bills be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the concurrent resolution and bills entitled as follows :

“Concurrent resolution proposing amendments to section 6 of article 10, and sections 3, 5, and 6 of article 2 of the Constitution.”

“An act to secure better public administration in the local government of the city of New York.”

“An act to amend chapter 175 of the Laws of 1870, entitled ‘An act regulating the sale of intoxicating liquors,’ passed April 11, 1870.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wadsworth, from said committee, reported in favor of the passage of the above-named concurrent resolution, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Wadsworth, from the same committee, also reported progress on the above-named bills, and asked and obtained leave to sit again.

Mr. I. I. Hayes moved that the first above-named bill be made a special order for to-morrow morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. I. I. Hayes, and by unanimous consent, said bill was ordered printed immediately.

Mr. Holahan moved to discharge the committee of the whole from the further consideration of the second named bill, and that the same be ordered to a third reading, with the amendments adopted in the committee of the whole.

Debate arising thereon,

Mr. Holahan moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Holahan, and it was determined in the affirmative, as follows:

AYES 47.

NOES 44.

Those who voted in the affirmative, were

ALLEN	CROWLEY	I. I. HAYES	MAPES	PURDY
BAKER	CURRAN	J. HAYES	McDONOUGH	SEARING
BATHE	DOUGLASS	HENRY	MOLLER	SEEBACHER
BERGEN	FITZGERALD	HOBBIE	MEYENBORG	SHANLEY
BERRIGAN	FLOYD-JONES	HOLAHAN	NELSON	SLITER
BROOKS	FLYNN	HULME	NIVEN	STORY
BROWNING	FOSTER	HURD	PATTERSON	STRACK
BURNS	GALVIN	JONES	PIPER	THAIN
CLANCY	GRADY	LANGNER	PROPER	WORTH
CRAWFORD	HAMILTON			

Those who voted in the negative, were

ABBOTT	DEYOE	MATTISON	PEEK	SKINNER
ALVORD	GILBERT	MEKEEL	POOL	TERRY
ANDREWS	GRAHAM	S. V. R. MILLER	PRESCOTT	THOMSON
BERRY	HEPBURN	MOOERS	REYNOLDS	VALENTINE
CASE	HOYT	NEILSON	ROWLAND	WADSWORTH
CHASE	KEEGAN	NOYES	SAWYER	WAKELY
CLAPP	KERN	PALMER	SEWELL	WILBOR
CORMACK	KING	PATTENGILL	SHEARD	WILLIAMS
CRANDALL	LOWING	DEWITT C. PECK	SHELDON	

Said bill was then ordered engrossed for a third reading.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act for the better protection of graves in cemeteries."

"An act to organize the Senate districts, and for the apportionment of the members of Assembly of this State."

On motion of Mr. Alvord, and at 9 o'clock and 48 minutes, the House adjourned.

TUESDAY, APRIL 9, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Hepburn introduced a bill entitled "An act to amend section 1

of chapter 347 of the Laws of 1870, entitled 'An act to incorporate the fire department of the village of Canton,' passed April 22, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent,

Mr. Nelson introduced a bill entitled "An act requiring the respective gas manufacturers of this State to furnish to consumers a uniform quality of gas," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

By unanimous consent,

Also, a bill entitled "An act for the better prevention of fires and the explosion of gas," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

The Senate sent for concurrence the bill entitled as follows :

"An act to incorporate the Auburn City Hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to authorize the common council of the city of Buffalo to increase the appropriation for the support of the poor, to meet the deficiency for the year 1877."

"An act in relation to coroners' fees and post-mortem examinations in Monroe county."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Speaker announced the special order of the day, being Assembly bill entitled "An act to secure better public administration in the local government of the city of New York."

On motion of Mr. I. I. Hayes, said special order was postponed until next Thursday afternoon at half-past 4 o'clock.

Mr. Clancy introduced a bill entitled "An act in relation to steam engineers for the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

This being the day assigned, under the rule, for the consideration of general orders,

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act in relation to payment of railroad fares."

"An act to abolish the office of Canal Appraiser."

"An act to provide for the incorporation of pipe line companies."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Abbott, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Abbott, from the same committee, also reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Abbott, from the same committee, also reported in favor of the passage of the last named bill, with amendments, and the title amended so as to read "An act to provide for the incorporation of pipe-line companies, and to regulate the same," which report was agreed to, and said bill ordered to a third reading.

Mr. Clapp offered, for the consideration of the House, a resolution in the words following :

Resolved, That the Senate bill (printed No. 126, G. O. 420) entitled "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,'" be recommitted to the committee on banks, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend sub-division 2 of section 5 of title 1, chapter 13, part 1 of the Revised Statutes of the State of New York."

"An act in relation to auctioneers."

"An act to amend section 2, chapter 33 of the Laws of 1878, entitled 'An act to amend chapter 516 of the Laws of 1867, entitled An act for the further protection of female employes in the city of New York.'"

"An act to establish and provide for the New York State Experimental Station."

"An act to incorporate the Tornado Hook and Ladder Company No. 1, of the village of Union, Broome county, N. Y."

"An act to amend chapter 484 of the Laws of 1862, entitled 'An act in relation to the courts in the city and county of New York.'"

"An act to amend an act entitled 'An act to revise and consolidate the several acts relating to public instruction,' passed May 2, 1864, as amended by an act passed April 16, 1867."

"An act to release to Jane Berry, of the town of Fallsburgh, Sullivan county, N. Y., the right, title, and interest of the people of the State of New York in the real estate of which William Rescola died seized."

"An act to amend chapter 373 of the Laws of 1866, entitled 'An act to authorize any town in the counties of Columbia or Rensselaer to aid in the completion of the Lebanon Springs railroad.'"

"An act to amend chapter 447 of the Laws of 1877, entitled 'An act to establish the boundaries of School district No. 5 of the town of Flushing, and to provide for the collection of school taxes therein, and conferring additional powers and duties upon the board of education of said district.'"

"An act to authorize the Comptroller to compromise and settle old judgments and contract debts."

"An act to provide for the sanitary inspection of common schools and school buildings in the city and county of New York."

The Senate returned the following entitled bills, with a message that they have non-concurred in the passage of the same :

"An act to amend chapter 126 of the Laws of 1871, entitled 'An act concerning the police life insurance fund, and the powers and duties of the police department of the city of New York.'"

"An act to change the commissioners' map of Long Island City, with respect to the intersection of Vernon avenue with Borden and Jackson avenues respectively."

Mr. Speaker presented a communication from the Superintendent of State Prisons, in answer to a resolution of the Assembly adopted April 1, relative to contracts.

On motion of Mr. Alvord, and by unanimous consent, said communication was referred to the committee on canals, and ordered printed.

(See Doc. No. 108.)

Mr. Speaker announced, pursuant to ninth joint rule, the order of business, third reading of bills.

The bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," having been announced for a third reading,

Mr. Alvord moved to recommit said bill to the committee on ways and means, with instructions to strike out lines 471 and 472, in the words following: "For the support and maintenance of juvenile delinquents at the New York Catholic Protectory, fifty thousand dollars," and insert in lieu thereof, "thirty thousand dollars for the Deaf-mutes' Institution at Rome," said committee to report forthwith, and retaining its place on third reading of bills.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Prescott called for a division of the question.

Mr. Speaker put the question whether the House would agree to that portion of the amendment which relates to the item of the Catholic Protectory, and it was determined in the negative, as follows:

AYES 33.

NOES 70.

Those who voted in the affirmative, were

ASTOR	DEVOE	KING	POOL	TERRY
BERRY	FISH	LOWING	REYNOLDS	VALENTINE
BRUNDAGE	GILBERT	S. V. R. MILLER	ROWLAND	WADSWORTH
CHAPPELL	HALLIDAY	PALMER	SAWYER	WAKELY
CHASE	HEPBURN	PATTENGILL	SEWELL	WARING
CLARK	HULME	DEWITT C. PECK	SHELDON	WILLIAMS
CRANDALL	KELLOGG	PEEK		

Those who voted in the negative, were

ABBOTT	CROWLEY	J. HAYES	MOLLER	ROBERTS
ALLEN	DALY	HENRY	MOOERS	SEARING
ALVORD	DAY	HOBBIE	MEYENBORG	SEEBACHER
ANDREWS	DOUGLASS	HOLAHAN	NEILSON	SHANLEY
BATHE	DUELL	HOYT	NELSON	SKINNER
BEARD	FITZGERALD	HURD	NIVEN	STORY
BERGEN	FLOYD-JONES	JONES	NORTH	STRACK
BROOKS	FLYNN	KEEGAN	NOYES	E. TAYLOR
BROWNING	FRANK	KERN	PARKER	THAIN
CASE	GALVIN	MAPES	PATTERSON	THOMSON
CLANCY	GRADY	MCDONOUGH	CICERO C. PECK	TOWNSLEY
CONVERSE	GRAHAM	MEAD	PIPER	WEMPLE
CORMACK	HAMILTON	MEKEEL	PRESCOTT	WHEELER
COSAD	I. I. HAYES	J. H. MILLER	PURDY	WILBOR

Mr. Speaker then put the question whether the House would agree to the remainder of said amendment relative to the insertion of thirty thousand dollars for the deaf-mutes at Rome, and it was determined in the affirmative, as follows:

AYES 71.

NOES 21.

Those who voted in the affirmative, were

ABBOTT	FITZGERALD	KERN	PATTERSON	SHELDON
ANDREWS	FLYNN	KING	DEWITT C. PECK	SKINNER
ASTOR	FRANK	LOWING	PEEK	STRACK

BATHE	GALVIN	MAPES	PIPER	E. TAYLOR
BERGEN	GILBERT	MATTISON	POOL	J. T. TAYLOR
BERRY	GRADY	MCDONOUGH	PRESCOTT	TERRY
BROWNING	I. I. HAYES	MEAD	PURDY	THAIN
CLANCY	HENRY	S. V. R. MILLER	REYNOLDS	TOWNSLEY
CRANDALL	HEPBURN	MOLLER	ROBERTS	VALENTINE
CROWLEY	HOBBIE	MOOERS	ROWLAND	WARING
DALY	HOYT	MEYENBORG	SEEBACHER	WEMPLE
DAY	HURD	NIVEN	SEWELL	WHEELER
DOUGLASS	JONES	NORTH	SHANLEY	WILBOR
DUELL	KEEGAN	PARKER	SHEARD	WILLIAMS
FISH				

Those who voted in the negative, were

ALLEN	CONVERSE	HAVENS	MEKEEL	SAWYER
ALVORD	CORMACK	HULME	NOYES	STORY
BEARD	GRAHAM	KEATOR	PALMER	WADSWORTH
BROOKS	HALLIDAY	KELLOGG	PATTENGILL	WAKELY
CHASE				

Mr. Alvord, from the committee on ways and means, reported back said bill amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 100.

NOES 7.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	NELSON	SHEARD
ALLEN	COSAD	HOLAHAN	NIVEN	SHELDON
ALVORD	CRANDALL	HOYT	NORTH	SKINNER
ANDREWS	CRAWFORD	HULME	NOYES	SLITER
ASTOR	CROWLEY	HURD	PARKER	STORY
BAKER	DALY	JONES	PATTENGILL	STRACK
BATHE	DAY	KEEGAN	PATTERSON	SUTHERLAND
BERGEN	DOUGLASS	KELLOGG	CICERO C. PECK	E. TAYLOR
BERRIGAN	DUELL	KERN	DEWITT C. PECK	J. T. TAYLOR
BERRY	FITZGERALD	LANGNER	PEEK	TERRY
BROOKS	FLOYD-JONES	LOWING	PIPER	THAIN
BROWNING	FLYNN	MAPES	PRESCOTT	THOMSON
BRUNDAGE	FRANK	MCDONOUGH	PURDY	TOWNSLEY
CASE	GALVIN	MEAD	ROBERTS	VALENTINE
CHAPPELL	GRADY	MEKEEL	ROWLAND	WADSWORTH
CHASE	GRAHAM	J. H. MILLER	SAWYER	WAKELY
CLANCY	HALLIDAY	MOLLER	SEARING	WARING
CLAPP	HAMILTON	MOOERS	SEEBACHER	WEMPLE
CLARK	I. I. HAYES	MEYENBORG	SEWELL	WHEELER
CONVERSE	HENRY	NEILSON	SHANLEY	WILBOR

Those who voted in the negative, were

BEARD	GILBERT	MATTISON	REYNOLDS	WILLIAMS
DEYOE	KEATOR			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord moved to take from the table Assembly bill entitled "An act authorizing the construction of a railroad from Lake Champlain to Dannamora prison, and the employment of convict labor thereon, and the management thereof."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 84.

NOES 18.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOLAHAN	NORTH	SHELDON
ALLEN	CROWLEY	HOYT	NOYES	SKINNER
ALVORD	DALY	HULME	PARKER	SLITER
ANDREWS	DAY	HURD	PATTENGILL	STORY
ASTOR	DEYOE	KEEGAN	CICERO C. PECK	E. TAYLOR
BERGEN	DUELL	KELLOGG	DEWITT C. PECK	J. T. TAYLOR
BERRY	FISH	KERN	PEEK	TERRY
BROWNING	FLOYD-JONES	KING	PIPER	THAIN
BRUNDAGE	FLYNN	LOWING	PRESCOTT	THOMSON
CASE	GILBERT	MAPES	PURDY	WADSWORTH
CHAPPELL	GRADY	MATTISON	REYNOLDS	WAKELY
CHASE	GRAHAM	MEAD	ROWLAND	WARING
CLAPP	HALLIDAY	J. H. MILLER	SAWYER	WEMPLE
CLARK	HAMILTON	MOLLER	SEARING	WHEELER
CONVERSE	HAVENS	MOOERS	SEEBACHER	WILBOR
CORMACK	I. I. HAYES	NEILSON	SEWELL	WINCH
COSAD	HOBBIE	NIVEN	SHEARD	

Those who voted in the negative, were

BAKER	BROOKS	JONES	PATTERSON	STRACK
BATHE	CLANCY	LANGNER	ROBERTS	SUTHERLAND
BEARD	CRAWFORD	MCDONOUGH	SHANLEY	TOWNSLEY
BERRIGAN	GALVIN	MEKEEL		

Mr. Grady moved that said bill be recommitted to the committee on ways and means, with instructions to amend the same in the words following :

Line 7, printed bill, strike out the word "convict," and insert in lieu thereof the word "such."

Line 10, strike out the words "which can be manufactured," and insert in lieu thereof the words "and in such way as the same may be employed."

Amend the title so as to read "Authorizing the construction and management of a railroad from Lake Champlain to Dannemora prison," and report forthwith ; and on that motion,

Mr. Grady moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put ?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord, from the committee on ways and means, reported back said bill amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 76.

NOES 18.

Those who voted in the affirmative, were

ABBOTT	DAY	HOYT	NOYES	SHELDON
ALLEN	DEYOE	HULME	PARKER	SKINNER
ALVORD	DUELL	HURD	PATTENGILL	STORY

ANDREWS	FISH	KEEGAN	PATTERSON	E. TAYLOR
BAKER	FLOYD-JONES	KELLOGG	CICERO C. PECK	J. T. TAYLOR
BATHE	FLYNN	KERN	DEWITT C. PECK	TERRY
BERGEN	GILBERT	KING	PEEK	THOMSON
BERRY	GRADY	LOWING	PIPER	VALENTINE
BRUNDAGE	GRAHAM	MEAD	PRESCOTT	WADSWORTH
CASE	HALLIDAY	J. H. MILLER	PURDY	WAKELY
CHAPPELL	HAMILTON	MOLLER	REYNOLDS	WARING
CHASE	HAVENS	MOOERS	ROWLAND	WEMPLE
CLAPP	HEPBURN	NEILSON	SAWYER	WHEELER
COSAD	HOBBIE	NIVEN	SEWELL	WILBOR
CRANDALL	HOLAHAN	NORTH	SHEARD	WINCH
CROWLEY				

Those who voted in the negative, were

BEARD	CLANCY	GALVIN	MEYENBORG	SUTHERLAND
BERRIGAN	CLARK	JONES	PALMER	THAIN
BROOKS	CONVERSE	MAPES	SHANLEY	TOWNSLEY
BROWNING	CRAWFORD	MCDONOUGH		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The hour of two o'clock having arrived, the House took a recess until half-past four, P. M.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

Mr. Terry, from the committee on privileges and elections, presented the following report:

To the Assembly of the State of New York:

The committee on privileges and elections having (in the case of the petition of Fordham Morris for the seat, as member of Assembly for the First Assembly district of the county of Westchester, held by Ambrose H. Purdy) on the 8th day of February, 1878, made a full return and report, detailing the conclusions from the evidence and proofs submitted to them, when the case was rested by the contestant; and having submitted to this House the resolution to which such conclusion inevitably led; and this House having partly considered such report, Mr. Herring, counsel for Mr. Fordham Morris, appeared and requested that the case of Fordham Morris, contestant for the seat as member of Assembly for the First district of Westchester county, now held by Ambrose H. Purdy, be recommitted to the committee on privileges and elections, for the purpose of further taking of testimony therein.

Whereupon a resolution, in the words following, was adopted:

Resolved, That the matter of the claim of Fordham Morris to the seat of Abrose H. Purdy as member of Assembly for the First Assembly district of Westchester county be, and the same is hereby recommitted to the committee on privileges and election, with instructions to take proof as to all the matters alleged in the answer of the sitting member to the petitioner's specifications.

Under the instructions thus given, your committee have proceeded, taking a large amount of proofs, and evidence which was presented on the part of both parties to the contest, raising questions of fact not before your committee when they first reported, all of which evidence and proofs are herewith reported for the further and full information of the House.

Your committee would further report that following the rule laid down by an accredited authority on the law and practice of legislative assemblies, that a committee has no power except what is specially delegated or conferred upon it by the House, and should in all cases, where not otherwise directed, report the special matter to the House to be by them considered and determined upon; and finding that no opinion is called for, implied or authorized, by the resolution upon which these subsequent proceedings have been taken, and the evidence and proofs now returned presenting questions of fact, eminently the fit subject of examination and conclusion of each member of this House, your committee, therefore, respectfully submit such evidence and proofs, with the following resolution:

Resolved, That the committee on privileges and elections be discharged from the further consideration of this case.

Dated April 9, 1878.

GEORGE L. TERRY,
HAMILTON FISH, JR.,
JAMES G. GRAHAM,
JOSEPH P. STRACK,
C. D. PRESCOTT,
S. B. PIPER,
L. B. KERN.

Mr. Terry moved that said report be laid upon the table and printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

(See *Doc No.* 109.)

Mr. Speaker announced order of business, third reading of bills.

Mr. Alvord moved to lay said order of business upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Floyd-Jones introduced a bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Mr. Moller introduced a bill entitled "An act in relation to the bonded debt of the town of White Plains, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Also, a bill entitled "An act for the protection of life and limb," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

By unanimous consent,

Mr. Wakely introduced a bill entitled "An act to authorize the judge of Allegany county to appoint four constables in the town of Scio, in said county of Allegany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Messrs. Thain and Moller presented petitions against the repeal of

the Code of Civil Procedure, and for the passage of the supplemental chapters over the Governor's veto; which were read and referred to the committee on the judiciary.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act limiting the time and expense of completing the Adirondack survey."

"An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor."

"An act to provide for the appointment of special game constables."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hulme, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Hulme, from the same committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hulme, from the same committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Skinner moved to discharge the committee of the whole from the further consideration of the last named bill, and that the same be ordered to a third reading, with the amendments adopted in the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bergen moved to take from the table the motion to discharge the committee of the whole from the further consideration of the Assembly bill entitled "An act to provide for the collection and payment of the assessment for the improvement of a public highway or avenue from Prospect park in the city of Brooklyn toward Coney Island, in the county of Kings, known as the Ocean parkway, laid out and improved pursuant to chapter 861 of the Laws of 1869, as amended by chapter 726 of the Laws of 1872," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion to discharge the committee of the whole from the further consideration of said bill.

Debate arising thereon,

Mr. Bergen moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion to discharge the committee of the whole from the further consideration of said bill, and it was determined in the negative, as follows:

AYES 50.

NOES 52.

Those who voted in the affirmative, were

ALLEN	COSAD	HURD	NELSON	SEARING
ALVORD	CRANDALL	KEATOR	NIVEN	SEEBACHER
ANDREWS	DEYOE	KELLOGG	PARKER	SEWELL
BAKER	DUELL	KERN	PATTENGILL	J. T. TAYLOR
BEARD	FISH	KING	DEWITT C. PECK	TERRY
BERGEN	HAMILTON	LOWING	PEEK	TOWNSLEY
BROWNING	I. I. HAYES	MAPES	PIPER	WEMPLE

CASE	HEPBURN	MEAD	PRESCOTT	WHEELER
CHAPPELL	HOBBIE	J. H. MILLER	ROBERTS	WILLIAMS
CORMACK	HOYT	MOOERS	SAWYER	WINCH

Those who voted in the negative, were

ABBOTT	CONVERSE	GRAHAM	S. V. R. MILLER	SKINNER
BATHE	CRAWFORD	GRIGGS	MOLLER	STRACK
BERRIGAN	DALY	HENRY	MEYENBORG	E. TAYLOR
BERRY	DOUGLASS	HOLAHAN	NORTH	THAIN
BROOKS	FITZGERALD	HOLBROOK	NOYES	VALENTINE
BRUNDAGE	FLOYD-JONES	HULME	PATTERSON	WAKELY
BURNS	FLYNN	JONES	POOL	WARING
CHASE	FRANK	KEEGAN	ROWLAND	WILBOR
CLANCY	GALVIN	MCDONOUGH	SHEARD	WILLERS
CLAPP	GILBERT	MEKEEL	SHELDON	WORTH
CLARK	GRADY			

When the name of Mr. Shanley was called, he stated that he was paired with Mr. Wadsworth.

On motion of Mr. Alvord, and at 6 o'clock and 20 minutes, the House adjourned.

WEDNESDAY, APRIL 10, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. A. Huebsch.

The journal of yesterday was read and approved.

Mr. Duell introduced a bill entitled "An act to amend section 1298 of the Code of Civil Procedure relating to proceedings when party dies pending appeal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to repeal chapter 65 of the Laws of 1877, passed March 28, 1877, entitled 'An act to regulate the execution and transfer of negotiable instruments given for patent rights,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Alvord introduced a bill entitled "An act to legalize the proceedings of the school commissioner of the second commissioner district of the county of Onondaga in the formation of school district No. 29, in the town of Onondaga, in said county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOYT	NEILSON	SEEBACHER
ALLEN	COSAD	HULME	NIVEN	SEWELL
ALVORD	CRAWFORD	HURD	NOYES	SHEARD
ANDREWS	CURRAN	JONES	PALMER	SHELDON
BAKER	DALY	KEEGAN	PARKER	SKINNER
BATHE	DEYOE	KELLOGG	PATTENGILL	STORY

BEARD	FLOYD-JONES	KING	DEWITT C. PECK	E. TAYLOR
BERGEN	FOSTER	LANGNER	PEEK	TERRY
BERRIGAN	FRANK	LOVELAND	PIPER	THAIN
BERRY	GALVIN	MATTISON	POOL	THOMSON
BROOKS	GILBERT	MCDONOUGH	PRESCOTT	VALENTINE
BROWNING	GRAHAM	MEKEEL	PROPER	WILBOR
BRUNDAGE	GRIGGS	J. H. MILLER	PURDY	WILLERS
CASE	HALLIDAY	S. V. R. MILLER	ROBERTS	WILLIAMS
CHAPPELL	HAVENS	MOLLER	ROWLAND	WILLIS
CHASE	HOBBIE	MOOERS	SAWYER	WINCH
CLAPP	HOLBROOK	MEYENBORG	SEARING	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Brooks introduced a bill entitled "An act to amend chapter 366 of the Laws of 1859, entitled 'An act to establish an Insurance Department,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Willers introduced a bill entitled "An act to amend chapter 309 of the Laws of 1877, entitled 'An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the 1st day of October, 1877,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Andrews introduced a bill entitled "An act to amend an act entitled 'An act to legalize the adoption of minor children by adult persons,' passed June 5, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Shanley, introduced a bill entitled "An act to amend chapter 596 of the Laws of 1874, entitled 'An act to incorporate the Manhattan Mortgage Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Peek introduced a bill entitled "An act to extend the time for the collection of taxes in the town of Johnstown, in the county of Fulton," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Peek, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 90.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOBBIE	MEYENBORG	SEWELL
ALVORD	CRAWFORD	HOLBROOK	NEILSON	SHEARD
ANDREWS	CROWLEY	HOYT	NIVEN	SHELDON
ASTOR	CURRAN	HULME	NORTH	SKINNER
BAKER	DALY	HURD	NOYES	SLITER
BATHE	DEYOE	JONES	PARKER	STORY
BEARD	DEULL	KEEGAN	PATTENGILL	SUTHERLAND
BERGEN	FITZGERALD	KERN	DEWITT C. PECK	E. TAYLOR
BERRIGAN	FLOYD-JONES	KING	PEEK	J. T. TAYLOR
BERRY	FOSTER	LANGNER	PIPER	TERRY
BROOKS	GALVIN	LOVELAND	POOL	THAIN

BROWNING	GILBERT	MAPES	PRESCOTT	THOMSON
BRUNDAGE	GRAHAM	MATTISON	REYNOLDS	VALENTINE
CASE	GRIGGS	MEKEEL	ROBERTS	WHEELER
CHAPPELL	HALLIDAY	J. H. MILLER	ROWLAND	WILBOR
CHASE	HAMILTON	S. V. R. MILLER	SAWYER	WILLERS
CORMACK	HAVENS	MOLLER	SEARING	WILLIAMS
COSAD	I. I. HAYES	MOOERS	SEEBACHER	WILLIS

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Purdy introduced a bill entitled "An act to promote improvement in the breeding, raising and keeping of horses and cattle," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Langner introduced a bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to redeem outstanding bonds falling due within the next five years," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Hobbie, Int. No. 172, entitled "An act to provide means for the employment of tramps, and to prevent tramping," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to revise and consolidate the several acts relating to the support and care of State paupers, and to provide for the employment at labor of certain vagrant and idle persons," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Peek, Int. No. 319, entitled "An act supplementary to an act entitled 'An act to vest certain lands belonging to the people of this State in the trustees of school district No. 23, in Johnstown,'" reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act authorizing the appraisal and sale of a certain lot of land belonging to the State, lying and being in the village of Johnstown, in the county of Fulton," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Floyd-Jones, Int. No. 826, entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Lynde, Int. No. 109, entitled "An act to amend chapter 150 of the Laws of 1839, entitled 'An act authorizing a loan of certain moneys belonging to the United States deposited with the State of New York for safe keeping,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Seebacher, Int. No. 401, entitled "An act to legalize and confirm the official acts of William Alt, of the city of New York, a notary public," reported in favor of the passage of the same,

which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mattison, Int. No. 695, entitled "An act to facilitate the making of proofs of discharge from State prison upon a trial for second offense," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fish, Int. No. 783, entitled "An act to provide compensation for referees in certain cases," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lowing, Int. No. 735, entitled "An act to legalize the official acts and proceedings of Alanson King, Andrew Sheldon and Harvey Wellman, as commissioners of excise of the town of Perry, Wyoming county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Wilbor, Int. No. 486, entitled "An act to incorporate the Columbia Bar Association," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill, Int. No. 123, entitled "An act to legalize the acts of Owen Glennon, a justice of the peace of the town of Hunter, Greene county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Wadsworth, Int. No. 756, entitled "An act to provide for the building of a town house in the town of Sparta, in the county of Livingston," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Keegan, Int. No. 732, entitled "An act for the better protection of innkeepers," reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Noyes, Int. No. 722, entitled "An act to repeal chapter 224 of the Laws of 1874, entitled 'An act to repeal chapter 440 of the Laws of 1873, entitled An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes,' so far as the same relates to the county of Cayuga," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 224 of the Laws of 1874, entitled 'An act to repeal chapter 440 of the Laws of 1873, entitled An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes,' so far as the same relates to the counties of Clinton, Chenango, Seneca, Queens, Orange, Essex, Cayuga, Madison and Steuben," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Berry presented a report from the sub-committee of the whole ; which was laid upon the table and ordered printed.

(See *Doc. No. 111.*)

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Prescott, Int. No. 816, entitled "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and the acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was recommended the bill introduced by Mr. Hobbie, Int. No. 713, entitled "An act to amend the charter of the city of Rochester, and to change its boundaries," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Harris, Int. No. 119, entitled "An act to confirm and protect the incorporation of the village of Hermon," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Harris, Int. No. 99, entitled "An act to amend chapter 230 of the Laws of 1850, entitled 'An act to amend an act to incorporate the village of West Troy, and for other purposes,' passed April 30, 1836," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Davenport, Int. No. 122, entitled "An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled An act to incorporate the village of Bath, in the county of Steuben,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Hughes, Int. No. 132, entitled "An act to amend chapter 325 of the Laws of 1874, entitled 'An act to incorporate the village of Bath-on-the-Hudson, Rensselaer county, New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act providing for reports of births, marriages, and deaths, the registry of vital statistics, and the regulation of interments."

"An act in addition to an act entitled 'An act relating to the Union Cemetery in the town of Bushwick, county of Kings,' passed April 12, 1853."

"An act to secure the payment of mechanics, laborers, and workmen who perform work ; also, persons furnishing materials towards the erection, altering, or repairing buildings, wharves, vaults, or any other structure in the city and county of New York."

"An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes, so far as the same relates to Ulster county.'"

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' so far as the same relates to the village of Northville, in the county of Fulton."

"An act to amend section 1, chapter 316 of the Laws of 1876, entitled 'An act relative to judgments entered upon forfeited recognizances in the city and county of New York.'"

"An act to secure the better application of funds to relieve the poor in the town of Plattsburgh, in the county of Clinton."

"An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

"An act to authorize the trustee of school district No. 2 of the town of Hinsdale to lease the upper story of the district school-house to the town of Hinsdale, for a town hall and other purposes."

"An act to amend chapter 118 of the Laws of 1873, entitled 'An act to provide for the construction and improvement of the road from Piseco lake to Claflin's tannery, in the county of Hamilton.'"

"Concurrent resolutions proposing amendments to section 6 of article 10, and sections 3, 5 and 6 of article 3 of the Constitution."

"An act to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,' passed April 11, 1870."

"An act in relation to payment of railroad fares."

"An act limiting the time and expense of completing the Adirondack survey."

"An act to provide against the use of unsuitable and dangerous telegraph poles in the city of New York."

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sheard, Int. No. 815, entitled "An act for the relief of Levi F. Carpenter," reported adversely thereto, which report was agreed to.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. McDonough, Int. No. 800, entitled "An act requiring receivers of corporations to make reports," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Strack, Int. No. 680, entitled "An act to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,'" reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to repeal a part of an act entitled 'An act to repeal certain acts and parts of acts,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Purdy, Int. No. 795, entitled "An act relating to the preservation of records in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Searing, Int. No. 817, entitled "An act to extend and define the liberties of the jail for the county of Ulster," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred

the bill introduced by Mr. Mead, Int. No. 762, entitled "An act to legalize and confirm the official acts of Norman F. M. Clute, William Marsh and F. T. Pierson, justices of the peace of the town of Rotterdam, in the county of Schenectady," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Sessions, Int. No. 111, entitled "An act authorizing the adult male Seneca Indians, residing on the Cornplanter reservation, to vote and hold office under the constitution of the Seneca nation of Indians," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Pursuant to the ninth joint rule, order of business, third reading of bills.

The bill entitled "An act for the protection of graves in cemeteries," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HENRY	MOOERS	SEARING
ALVORD	COSAD	HEPBURN	MEYENBORG	SEEBACHER
ANDREWS	CRANDALL	HOBBIE	NEILSON	SEWELL
ASTOR	CRAWFORD	HOLBROOK	NIVEN	SKINNER
BAKER	CURRAN	HOYT	NORTH	SLITER
BATHE	DEYOE	HURD	NOYES	SUTHERLAND
BEARD	DUELL	JONES	PARKER	E. TAYLOR
BERGEN	FISH	KERN	PATTENGILL	J. T. TAYLOR
BERRIGAN	FITZGERALD	KING	CICERO C. PECK	THAIN
BERRY	FLOYD-JONES	LANGNER	DEWITT C. PECK	THOMSON
BOUCK	FLYNN	LOVELAND	PEEK	VALENTINE
BROOKS	FOSTER	LOWING	POOL	WARING
BROWNING	GILBERT	MCDONOUGH	PRESCOTT	WEMPLE
BRUNDAGE	GRIGGS	MEAD	PURDY	WILBOR
CASE	HALLIDAY	MEKEEL	ROBERTS	WILLIAMS
CHAPPELL	HAMILTON	J. H. MILLER	ROWLAND	WILLIS
CHASE	I. I. HAYES	S. V. R. MILLER	SAWYER	WINCH
CLAPP	J. HAYES	MOLLER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend subdivision 2 of section 5 of title 1, chapter 13, part 1 of the Revised Statutes of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOBBIE	MEYENBORG	SEEBACHER
ALLEN	CRAWFORD	HOLBROOK	NEILSON	SEWELL
ALVORD	CROWLEY	HOYT	NIVEN	SKINNER
ANDREWS	CURRAN	HULME	NORTH	SLITER

ASTOR	DALY	HURD	PARKER	STORY
BAKER	DAY	KEATOR	PATTENGILL	SUTHERLAND
BATHE	FITZGERALD	KEEGAN	CICERO C. PECK	E. TAYLOR
BEARD	FLOYD-JONES	KERN	DEWITT C. PECK	J. T. TAYLOR
BERGEN	FLYNN	LANGNER	PEEK	THAIN
BERRIGAN	FOSTER	LOVELAND	PIPER	THOMSON
BERRY	GALVIN	LOWING	POOL	VALENTINE
BOUCK	GILBERT	MATTISON	PRESCOTT	WAKELY
BROOKS	GRAHAM	MEAD	PURDY	WEMPLE
BROWNING	GRIGGS	MEKEEL	REYNOLDS	WILBOR
BRUNDAGE	HALLIDAY	J. H. MILLER	ROBERTS	WILLIAMS
CASE	HAMILTON	S. V. R. MILLER	ROWLAND	WILLIS
CHAPPELL	I. I. HAYES	MOLLER	SAWYER	WINCH
CHASE	HEPBURN	MOOERS		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide against the use of unsuitable and dangerous telegraph poles in the city of New York," having been announced for a third reading,

Mr. Astor moved that said bill be recommitted to the committee on affairs of cities, with instructions to amend the same by striking out (lines 10 and 11) the words "but no iron pole patented prior to the passage of this act shall be adopted," and to report back forthwith; and upon said motion,

Mr. Astor moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, reported back said bill, amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 76.

NOES 33.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOLBROOK	MOOERS	SEWELL
ALLEN	CRANDALL	HOYT	NEILSON	SKINNER
ANDREWS	CROWLEY	HULME	NELSON	SUTHERLAND
ASTOR	CURRAN	HURD	NIVEN	E. TAYLOR
BATHE	DALY	JONES	NOYES	J. T. TAYLOR
BEARD	DAY	KEEGAN	PATTENGILL	TERRY
BERGEN	FISH	KELLOGG	POOL	THAIN
BERRY	FITZGERALD	KERN	PRESCOTT	VALENTINE
BOUCK	FLYNN	LANGNER	PURDY	WADSWORTH
BRUNDAGE	GRAHAM	MAPES	REYNOLDS	WAKELY
CASE	HALLIDAY	MCDONOUGH	ROBERTS	WEMPLE
CHAPPELL	HAMILTON	MEKEEL	ROWLAND	WHEELER
CHASE	HEPBURN	J. H. MILLER	SAWYER	WILBOR
CLARK	HOBBIE	S. V. R. MILLER	SEEBACHER	WILLIAMS
CORMACK				

Those who voted in the negative, were

ALVORD	FOSTER	KEATOR	DEWITT C. PECK	STORY
BROOKS	FRANK	LOVELAND	PEEK	THOMSON
BROWNING	GILBERT	LOWING	PROPER	WARING
CRAWFORD	GRIGGS	MATTISON	SEARING	WILLERS

DEYOE	I. I. HAYES	MOLLER	SHANLEY	WILLIS
DUELL	J. HAYES	PALMER	SHELDON	WINCH
FLOYD-JONES	HENRY	CICERO C. PECK		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for maintaining the solvency of life insurance companies, and protecting the rights of policyholders," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79.

NOES 14.

Those who voted in the affirmative, were

ABBOTT	DALY	HURD	NIVEN	SHELDON
ALLEN	DAY	JONES	NOYES	SKINNER
ANDREWS	DEYOE	KEATOR	PALMER	SLITER
ASTOR	DUELL	KEEGAN	PARKER	SUTHERLAND
BERGEN	FITZGERALD	KELLOGG	PATTENGILL	E. TAYLOR
BERRIGAN	FLOYD-JONES	KING	CICERO C. PECK	J. T. TAYLOR
BERRY	GALVIN	LOVELAND	DEWITT C. PECK	TERRY
BOUCK	GILBERT	MAPES	PEEK	THOMSON
BROWNING	GRAHAM	MATTISON	PIPER	VALENTINE
BRUNDAGE	GRIGGS	MCDONOUGH	POOL	WAKELY
CASE	HALLIDAY	MEAD	PRESCOTT	WARING
CHAPPELL	HAMILTON	MEKEEL	REYNOLDS	WEMPLE
CHASE	J. HAYES	J. H. MILLER	ROBERTS	WHEELER
CLAPP	HENRY	V. R. MILLER	ROWLAND	WILBOR
CORMACK	HEPBURN	MOOERS	SAWYER	WINCH
CRAWFORD	HULME	MEYENBORG	SEWELL	

Those who voted in the affirmative, were

ALVORD	BROOKS	CURRAN	HOBBIE	WILLIAMS
BATHE	CLARK	FOSTER	HOLBROOK	WILLIS
BEARD	CRANDALL	GRADY	SHANLEY	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

When the name of Mr. Beard was called, he asked to be, and was not, excused from voting.

The bill entitled "An act to amend chapter 477 of the Laws of 1875, entitled 'An act to amend an act entitled An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871; and also an act to re-enact and amend the same, passed April 6, 1871; also, to extend the distribution of Croton water through the city of New York, including the two new wards, and to lay the necessary mains therefor, and to deliver it at higher elevation,' passed May 28, 1875," having been announced for a third reading,

Mr. Brooks moved that said bill be recommitted to the committee on affairs of cities.

Debate arising thereon,

Mr. Halliday moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87.

NOES 24.

Those who voted in the affirmative, were

ABBOTT	DUELL	JONES	NORTH	SKINNER
ANDREWS	FISH	KEATOR	NOYES	STORY
ASTOR	FITZGERALD	KEEGAN	PALMER	STRACK
BAKER	FLYNN	KERN	PARKER	SUTHERLAND
BATHE	GILBERT	KING	PATTENGILL	E. TAYLOR
BEARD	GRAHAM	LANGNER	CICERO C. PECK	TERRY
BERGEN	GRIGGS	LOVELAND	DEWITT C. PECK	VALENTINE
BERRY	HALLIDAY	LOWING	PEEK	WADSWORTH
BRUNDAGE	HAMILTON	MAPES	POOL	WAKELY
CASE	HAVENS	MATTISON	PRESCOTT	WARING
CHAPPELL	J. HAYES	MEKEEL	REYNOLDS	WEMPLE
CHASE	HENRY	J. H. MILLER	ROBERTS	WHEELER
CLAPP	HEPBURN	S. V. R. MILLER	ROWLAND	WILBOR
CLARK	HOBBIE	MOLLER	SAWYER	WILLIAMS
CRANDALL	HOLBROOK	MOOERS	SEWELL	WILLIS
CURRAN	HOYT	MEYENBORG	SHEARD	WINCH
DALY	HULME	NIVEN	SHELDON	WORTH
DEYOE	HURD			

Those who voted in the negative, were

ALLEN	CRAWFORD	GALVIN	PATTERSON	SHANLEY
ALVORD	DOUGLASS	GRADY	PIPER	THAIN
BERRIGAN	FLOYD-JONES	MCDONOUGH	PROPER	THOMSON
BROOKS	FOSTER	MEAD	SEARING	WILLERS
BROWNING	FRANK	NELSON	SEEBACHER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to organize the Senate districts, and for the apportionment of the members of Assembly of this State," having been announced for a third reading,

Mr. Brooks moved that said bill be recommitted to the committee on apportionment, with instructions to amend the same in the words following: "To separate said bill, and report a bill with the Assembly districts, and also a bill with the Senate districts, and take one member from Wayne county, and one member from Washington county, and add the same to the county of New York," and that said committee report forthwith; and upon said motion,

Mr. Brooks moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows :

AYES 57.

NOES 66.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HALLIDAY	MEAD	ROBERTS
BAKER	CROWLEY	HAMILTON	MOLLER	SEARING
BATHE	CURRAN	HAVENS	MEYENBORG	SEEBACHER
BERGEN	DALY	J. HAYES	NELSON	SHANLEY
BERRIGAN	DAY	HENRY	NELSON	SLITER
BOUCK	DOUGLASS	KEEGAN	NIVEN	STRACK
BROOKS	FITZGERALD	KELLOGG	PATTENGILL	J. T. TAYLOR

BROWNING	FLOYD-JONES	LANGNER	PATTERSON	THAIN
BURNS	FLYNN	LOVELAND	CICERO C. PECK	THOMSON
CLANCY	FRANK	MAPES	PIPER	WEMPLE
CORMACK	GALVIN	MCDONOUGH	PURDY	WILLERS
COSAD	GRADY			

Those who voted in the negative, were

ABBOTT	FISH	KEATOR	DEWITT C. PECK	SUTHERLAND
ALVORD	FOSTER	KERN	PEEK	E. TAYLOR
ANDREWS	GILBERT	KING	POOL	TERRY
ASTOR	GRAHAM	LOWING	PRESCOTT	VALENTINE
BERRY	GRIGGS	MATTISON	PROPER	WADSWORTH
BRUNDAGE	I. I. HAYES	MEKEEL	REYNOLDS	WAKELY
CASE	HEPBURN	J. H. MILLER	ROWLAND	WARING
CHAPPELL	HOBBIE	S. V. R. MILLER	SAWYER	WHEELER
CHASE	HOLBROOK	MOOERS	SEWELL	WILBOR
CLAPP	HOYT	NORTH	SHEARD	WILLIAMS
CLARK	HULME	NOYES	SHELDON	WILLIS
CRANDALL	HURD	PALMER	SKINNER	WINCH
DEYOE	JONES	PARKER	STORY	WORTH
DUELL				

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor hereof, and three-fifths being present, as follows :

AYES 67.

NOES 59.

Those who voted in the affirmative, were

ABBOTT	FISH	KERN	PEEK	E. TAYLOR
ALVORD	FOSTER	KING	POOL	TERRY
ANDREWS	GILBERT	LOWING	PRESCOTT	VALENTINE
ASTOR	GRAHAM	MATTISON	PROPER	WADSWORTH
BERRY	GRIGGS	MEKEEL	REYNOLDS	WAKELY
BRUNDAGE	I. I. HAYES	J. H. MILLER	ROWLAND	WARING
CASE	HEPBURN	S. V. R. MILLER	SAWYER	WHEELER
CHAPPELL	HOBBIE	MOOERS	SEWELL	WILBOR
CHASE	HOLBROOK	NORTH	SHEARD	WILLIAMS
CLAPP	HOYT	NOYES	SHELDON	WILLIS
CLARK	HULME	PALMER	SKINNER	WINCH
CRANDALL	HURD	PARKER	STORY	WORTH
DEYOE	JONES	DEWITT C. PECK	SUTHERLAND	SPEAKER
DUELL	KEATOR			

Those who voted in the negative, were

ALLEN	CORMACK	GALVIN	MCDONOUGH	ROBERTS
BAKER	COSAD	GRADY	MEAD	SEARING
BATHE	CRAWFORD	HALLIDAY	MOLLER	SEEBACHER
BEARD	CROWLEY	HAMILTON	MEYENBORG	SHANLEY
BERGEN	CURRAN	HAVENS	NEILSON	SLITER
BERRIGAN	DALY	J. HAYES	NELSON	STRACK
BOUCK	DAY	HENRY	NIVEN	J. T. TAYLOR
BROOKS	DOUGLASS	KEEGAN	PATTENGILL	THAIN
BROWNING	FITZGERALD	KELLOGG	PATTERSON	THOMSON
BURNS	FLOYD-JONES	LANGNER	CICERO C. PECK	WEMPLE
CLANCY	FLYNN	LOVELAND	PIPER	WILLERS
CONVERSE	FRANK	MAPES	PURDY	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Hayes moved to lay the present order of business on the table, for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Hayes then moved that the following entitled Assembly bills be made a special order for the afternoon session immediately after being convened :

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the 1st day of October, 1878, and to provide for an anticipated deficiency in former appropriations."

"An act in relation to canals."

"An act further to amend chapter 479 of the Laws of 1875, entitled 'An act in relation to the jurisdiction of the Marine Court of the city of New York, and to the justices of said court.'"

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Assembly bill entitled "An act to authorize the merging of corporations organized under the act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853, and of the acts amending or extending the same," having been announced for a third reading,

Mr. Grady moved to recommit said bill to the committee on affairs of cities; and upon said motion,

Mr. Kern moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the negative.

Mr. Fish moved that the said bill be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker and the Clerk, with the consent of the Assembly, referred the following entitled bills to the sub-committee of the whole :

Senate, G. O. 460, No. 106, "An act to authorize corporations formed for manufacturing, mining, mechanical or chemical purposes, to mortgage their property and franchises."

Senate, G. O. 466, No. 136, "An act to amend chapter 224 of the Laws of 1816, entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Madison, in the county of Madison.'"

Senate, G. O. 465, No. 116, "An act to repeal section 8 of chapter 36 of the Laws of 1863, entitled 'An act authorizing the village of West Troy to pave Broad street therein, from Auburn street to its southern terminus; to procure a steam fire engine and the necessary hose, hose carriage, lot and engine house for the same, and to borrow money for such purposes; also empowering the said village to light the streets thereof, and directing that the police constables of said village be uniformed and wear the badge of office.'"

Senate, G. O. 461 (not printed), "An act to change the corporate name of the Mercantile Library Association of the city of Brooklyn."

G. O. 446, No. 399, "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester, as amended by chapter 245 of the Laws of 1875, and further amended by chapter 227 of the Laws of 1877.'"

G. O. 447, No. 400, "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,' so far as the same relates to the county of Orange."

G. O. 445, No. 398, "An act to constitute a board of alms and to secure the better application of funds to relieve the poor of the town of Herkimer, Herkimer county."

G. O. 444, No. 397, "An act to provide for the collection of the unpaid assessments for the opening, regulating and grading of Franklin avenue, in the towns of Flatbush and New Utrecht."

G. O. 448, No. 401, "An act accepting the sovereignty and jurisdiction over a portion of the State of Vermont, ceded to the State of New York in the year 1876."

G. O. 438, No. 392, "An act to amend chapter 62 of the Laws of 1877, entitled 'An act to amend chapter 341 of the Laws of 1872, entitled An act in reference to the Young Men's Association for Mutual Improvement, in the city of Albany.'"

G. O. 468, No. 416, "An act to protect spawning fish in the Hudson river."

G. O. 434, No. 389, "An act to amend an act to provide for the removal of eel weirs and other devices for taking fish from the Delaware river and any of its tributaries, and to prevent the maintenance of such devices, passed May 19, 1877, chapter 296 of the Laws of 1877."

G. O. 456, No. 409, "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies.'"

G. O. 457, No. 410, "An act to amend the statutes in reference to the collection of taxes in the county of Delaware."

G. O. 462, No. 412, "An act to amend chapter 664 of the Laws of 1873, entitled 'An act to organize the village of Monticello into a separate school district, and to provide for the purchase of a site and erection of a school edifice.'"

G. O. 463, No. 413, "An act to amend chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and police constables in said village, and defining their jurisdiction, powers and duties.'"

G. O. 464, No. 414, "An act to amend chapter 523, Laws of 1870, entitled 'An act to incorporate the village of New Berlin, in Chenango county, and to repeal the present charter.'"

G. O. 467, No. 415, "An act to prohibit the taking of certain kinds of fish from the waters of Loon lake, in the county of Steuben."

G. O. 433, No. 388, "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

G. O. 432, No. 387, "An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

G. O. 431, No. 386, "An act for the protection of fish in Esopus creek and its tributaries, in the county of Ulster."

G. O. 424, No. 379, "An act in relation to the election of officers in certain school districts."

G. O. 419, No. 374, "An act to prevent accidents on railroads operated by steam power in the State of New York."

G. O. 418, No. 373, "An act authorizing a change of boundary between the park under the jurisdiction and control of the park commissioners of the city of Buffalo and the lands of the Buffalo city cemetery."

G. O. 417, No. 372, "An act authorizing the Buffalo city cemetery to convey to the city of Buffalo certain lands for a street."

G. O. 416, No. 371, "An act to enable the park commissioners of the city of Buffalo to transfer to said city their jurisdiction and control over certain lands taken for a park and laid out by said commissioners as part of Delaware street."

G. O. 415, No. 370, "An act to alter the map or plan of Long Island City in respect to certain streets in the Third and Fourth wards thereof."

G. O. 471, No. 418, "An act relative to the collection of taxes in the town of Plattsburgh, in the county of Clinton."

G. O. 414, No. 369, "An act to authorize the city of Buffalo to raise money to aid in the construction of a soldiers' and sailors' monument."

G. O. 409, No. 364, "An act to provide for the better protection of property and life in the State of New York from the rapid spread of fires through steam elevator passages or flues."

G. O. 402, No. 358, "An act to amend chapter 403 of the Laws of 1868, entitled 'An act to establish and maintain a free bridge between Sag Harbor and North Haven, in the town of Southampton, Suffolk county, and to make such bridge a county charge.'"

G. O. 404, No. 360, "An act to amend chapter 322 of the Laws of 1869, entitled 'An act to encourage the planting of shade trees along the sides of public highways.'"

G. O. 398, No. 354, "An act to authorize the Mutual Fire Insurance Company to unite a cash capital and to provide for its participation in their business."

G. O. 392, No. 347, "An act transferring a portion of the Chemung canal to the city of Elmira for street purposes."

G. O. 390, No. 346, "An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga salt springs reservation, by the commissioners of the land office,' passed April 18, 1874."

G. O. 335, No. 290, "An act to repeal chapter 577 of the Laws of 1864, and all acts amendatory thereof."

G. O. 327, No. 282, "An act to improve Steinway avenue, Long Island City."

G. O. 325, No. 280, "An act to provide for the preservation of the public health in the city of Brooklyn."

G. O. 83, No. 71, "An act in relation to solicitors of passengers for steamboats, ships or vessels in the cities of New York and Brooklyn."

G. O. 380, No. 337, "An act relating to the public place or square known as Washington park in the city of New York."

G. O. 373, No. 330, "An act to facilitate the discharge of debtors imprisoned by virtue of executions in civil cases."

The Senate returned the Assembly bill entitled "An act to repeal an act passed March 7, 1872, entitled 'An act to amend an act entitled An act to amend an act passed March 23, 1850, entitled An act for the protection of purchasers of real estate upon sales by order of surrogates,' passed April 20, 1869, and to repeal an act passed April 20, 1869, entitled 'An act to amend an act passed March 23, 1850, entitled An act for the protection of purchasers of real estate upon sales by order of surrogates,' and also to amend an act entitled 'An act for the protection of purchasers of real estate upon sales made by order of surrogates,' passed March 23, 1850, so as to apply the provisions of said act to mortgages and leases," with a message that they have passed the same, with the following amendments:

Strike out all after the enacting clause, and insert in lieu thereof the following :

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

“SECTION 1. Section one of chapter eighty-two of the Laws of eighteen hundred and fifty, entitled “An act for the protection of purchasers of real estate upon sales made by order of surrogates, is hereby amended so as to read as follows :

“§ 1. Every *mortgage, lease or sale*, heretofore made or hereafter to be made, under any af the provisions of the fourth title of chapter six of the second part of the Revised Statutes, and of the acts amending the same or in addition thereto, shall be deemed and held to be as valid and effectual as if made by order of a court having original general jurisdiction; and the title of any purchaser at any such sale, made in good faith, and *the validity of any such mortgage or lease* shall not be impeached or invalidated by reason of any omission, error, defect or irregularity in the proceedings before the surrogate, or by any allegation of want of jurisdiction on the part of such surrogate, except in the manner and for the causes that the same could be impeached or invalidated in case such mortgage, lease or sale had been made pursuant to the order of a court of original general jurisdiction.

“§ 2. Section two of said act is hereby amended so as to read as follows :

“§ 2. No such *mortgage, lease or sale*, under any of the provisions of the fourth title of chapter sixth of part second of the Revised Statutes, and of the acts amending the same, *or in addition thereto*, shall be invalidated, nor in any wise impeached, for any omission or defect in any petition of any executor or administrator under the provisions of said title and acts amending the same, provided such petition shall substantially show that an inventory has been filed, and that there are debts, or is a debt, which the personal estate is insufficient to discharge, and that recourse is necessary to the real estate (or some of it) whereof the decedent died seized.

“§ 3. Section three of said act, as amended by chapter two hundred and sixty-eight of the Laws of eighteen hundred and sixty-nine, and chapter ninety-two of the Laws of eighteen hundred and seventy-two, is hereby further amended so as to read as follows :

“§ 3. Nor shall any such *mortgage, lease, or sale* be invalidated, nor in anywise impeached, by reason that any such petition was or shall be presented by less than the whole number of executors or of administrators; nor by reason that, after the filing of any such petition, any bond required by law has been, or shall be, given by less than the whole number of the executors or administrators petitioning; *nor by reason that an inventory of the testator's or intestate's estate has been or shall be made and filed by less than the whole number of the executors or administrators*, nor by reason that any further or other proceeding, notice, sale, deed, or return has been, or shall be had or made, by less than the whole number of executors or administrators petitioning; nor by reason of any omission to *serve upon any minor, heir or devisee, personally or by publication, a copy of the order to show cause required by the fifth section of the fourth title of chapter six, part second of the Revised Statutes; provided such order shall have been duly served on the general guardian of the minor, or the guardian appointed in such proceeding*; nor by reason of any irregularity in any

matter or proceeding after the presenting of any petition, and the giving notice of the order to show cause why the authority or direction applied for should not be granted, and before the order confirming such sale; nor after a lapse of five years from the time of such sale, where the notice of such sale has been published for six weeks successively before the day of such sale, although such publication may not have been for the full period of forty-two days; and in all cases where the records of the office of the surrogate, before whom such proceedings were taken, have been removed from the house, office, or other building in which such proceedings were taken to another house, office, or other building, after such proceedings were taken, and the full period of twenty-five years has elapsed since said sale, it shall be presumed that guardians have been duly appointed for all minors, heirs, or devisees of the real estate sought to be mortgaged, leased, or sold in such proceeding, such presumption to be rebutted only by record evidence in such office showing affirmatively that such guardian or guardians were not appointed; provided that nothing in this act contained shall be construed to affect, in any manner, any suit or proceeding already commenced for the recovery of any lands or the proceeds thereof, sold under or by virtue of any order of any surrogate's court; and provided, also, that nothing in this act contained shall be construed to affect, in any manner, any suit or proceeding already commenced to foreclose such mortgage, or any suit or proceeding already commenced in which the validity of such lease shall or may come in question.

"§ 4. Section 4, of said act, is hereby amended so as to read as follows :

"§ 4. This act shall not be construed as authorizing any surrogate, or officer performing the duties of the office of surrogate, to make any order for the mortgage, lease, or sale of the real property of a deceased person, or to confirm any such sale, unless upon a due examination he shall be satisfied that the provisions of said title have been complied with as if this act had not been passed.

"§ 5. This act shall take effect immediately."

And have amended the title so as to read as follows :

"An act to amend chapter 82 of the Laws of 1850, entitled 'An act for the protection of purchasers of real estate upon sales made by order of surrogates, and all acts amendatory thereof and supplementary thereto, so as to apply the provisions of said act to mortgages and leases made by the order of surrogates."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HULME	NOYES	SLITER
ALVORD	CURRAN	HURD	PARKER	STORY
ANDREWS	DALY	JONES	PATTENGILL	SUTHERLAND
BAKER	DEYOE	KEATOR	PATTERSON	E. TAYLOR
BATHE	FISH	KEEGAN	CICERO C. PECK	J. T. TAYLOR
BEARD	FLYNN	KELLOGG	DEWITT C. PECK	TERRY
BERGEN	FOSTER	KERN	PEEK	THAIN
BERRIGAN	GALVIN	KING	PIPER	THOMSON
BERRY	GILBERT	LOWING	POOL	VALENTINE
BOUCK	GRAHAM	MATTISON	PRESCOTT	WARING
BROOKS	GRIGGS	MCDONOUGH	PURDY	WILBOR
BROWNING	HALLIDAY	MEAD	REYNOLDS	WILLERS

BRUNDAGE	HAMILTON	MEKEEL	ROBERTS	WILLIAMS
CASE	HOBBIE	MOLLER	ROWLAND	WILLIS
CLANCY	HOLBROOK	MOOERS	SEARING	WINCH
CLAPP	HOYT	NIVEN	SKINNER	WORTH
CORMACK				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The hour of two o'clock having arrived, the House took a recess until half-past four P. M.

HALF - PAST FOUR O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. Hayes introduced a bill entitled "An act to authorize the board of estimate and apportionment of the city of New York to acquire title to portions of Ward's Island and the water rights surrounding the same, and not now belonging to the said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hayes, and by unanimous consent, said bill was referred to the committee of the whole and ordered printed immediately.

By unanimous consent,

Mr. Nelson offered, for the consideration of the House, a resolution in the words following :

Whereas, It is alleged that the lease of the pier and bulk-head opposite Fulton market, East river, between Beekman and Fulton streets, was procured by fraud, bribery and corruption, and the treasury of the city of New York thereby defrauded of \$100,000; therefore,

Resolved, That the committee on general laws be, and is hereby authorized to investigate as to the truth of said charge, and that they be authorized to send for persons, books and papers, and report the facts to this House.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

By unanimous consent,

Mr. Duell offered, for the consideration of the House, a resolution in the words following :

Resolved, That the clerk of the county of New York be, and he hereby is directed to report to this House, within ten days, the names of all referees and receivers appointed in any action or proceeding in the Supreme Court of said county, from the 1st day of May, 1877, to the date of his report; together with the name of the judge by whom appointed; the purpose for which the appointments were made, and so far as he may be able, the compensation received by such referees and receivers.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

By unanimous consent,

Mr. King offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 55 entitled "An act to provide for the sanitary inspection of common schools and school buildings in the

city and county of New York," be recommitted to the committee on public health, retaining its place on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Prescott offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill entitled "An act to amend chapter 606 of the Laws of 1875, entitled 'An act further to provide for the construction and operation of a steam railway or railways in counties of the State,' " be referred back to the committee on railroads for further consideration, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Prescott, from the committee on railroads, offered the following privileged resolutions :

Whereas, By two several resolutions, heretofore passed by the House, the railroad committee is required to investigate as to the amount of bonds and stock issued by the elevated railroad companies in New York city, and as to the alleged combinations between them; and,

Whereas, Such investigations may require official sessions outside of the city of Albany, and much testimony to be taken,

Resolved, That the committee on railroads be authorized to employ Frederick Carman, as stenographer, for the use of the committee on such investigation, who shall be paid for his services (including the making of one copy, in a plain hand, of the minutes and proceeding of the committee), the sum of fifteen cents per folio.

Resolved, That said committee be authorized to sit during the sessions of the House if they shall deem it necessary so to do.

Resolved, That the said committee be authorized to take testimony outside of the city of Albany, and to call for and require productions of books and papers.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative, as follows :

AYES 69.

NOES 1.

Those who voted in the affirmative, were

ABEOTT	DAY	HOBBIE	NELSON	SHELDON
ALLEN	DOUGLASS	HOLBROOK	NIVEN	SKINNER
ALVORD	FISH	HULME	NORTH	SUTHERLAND
ANDREWS	FLOYD-JONES	HURD	NOYES	E. TAYLOR
BAKER	FLYNN	KELLOGG	PALMER	TERRY
BATHE	GALVIN	KERN	PARKER	THAIN
BERGEN	GILBERT	KING	PATTENGILL	THOMSON
BROWNING	GRADY	LOVELAND	DeWITT C. PECK	VALENTINE
BURNS	GRAHAM	MAPES	PEEK	WARING
CASE	HALLIDAY	MEAD	POOL	WEMPLE
CHAPPELL	HAMILTON	MEKEEL	PRESCOTT	WHEELER
CLAPP	HAVENS	J. H. MILLER	PURDY	WILBOR
CROWLEY	I. I. HAYES	S. V. R. MILLER	ROBERTS	WORTH
CURRAN	HEPBURN	MOLLER	SHEARD	

For the negative,

WILLERS

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Brooks, Int. No. 835, entitled "An act in relation to insurance examinations," reported in favor of the passage of

the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Mattison, Int. No. 296, entitled "An act to provide for the formation of county co-operative insurance companies," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Hepburn, Int. No. 820, entitled "An act to amend section 1, chapter 347 of the Laws of 1870, entitled 'An act to incorporate the fire department of the village of Canton,' passed April 22, 1870," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Hepburn, the committee of the whole was discharged from the further consideration of said bill, and the same was ordered to a third reading.

Mr. Hepburn, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Wendover, Int. No. 136, entitled "An act to amend section 8, and to further amend section 10 of chapter 739 of the Laws of 1857, entitled 'An act to authorize the formation of town insurance companies,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert moved to disagree with the adverse report of the committee on the judiciary on Assembly bill entitled "An act for the relief of Levi F. Carpenter," and that said bill be referred back to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion to disagree with said report, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to refer said report back to the committee on the judiciary, and it was determined in the affirmative.

Mr. Lowing moved to discharge the committee of the whole from the further consideration of Assembly bill entitled "An act to legalize the official acts and proceedings of Alanson King, Andrew Sheldon and Harvey Wellman, as commissioners of excise of the town of Perry, Wyoming county," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

Mr. Speaker then announced the special order of the day, being the Assembly concurrent resolutions proposing amendment to article 7 of the Constitution.

The House then resolved itself into a committee of the whole on the above named "Concurrent resolutions proposing amendment to article 7 of the Constitution;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Day, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. I. I. Hayes moved that said concurrent resolutions be made a special order for to-morrow morning; also, Assembly bill No. 312, entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals

for the fiscal year commencing on the 1st day of October, 1878, and to provide for an anticipated deficiency in former appropriations;" also, Assembly bill No. 367, entitled "An act in relation to canals."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Berry presented a report from the sub-committee of the whole; which was laid upon the table and ordered printed.

(See *Doc. No. 112.*)

Mr. Floyd-Jones moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 6 o'clock and 50 minutes, the House adjourned.

THURSDAY, APRIL 11, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of yesterday was read and approved.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to change the name of the union free school, district No. 1, of the town of Clarence."

"An act relating to contracts for lighting the public lamps in the city of New York."

"An act to amend chapter 465 of the Laws of 1875, entitled 'An act to require the payment of certain premiums to the fire departments of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York, but doing business therein,' passed May 28, 1875."

"An act to enable the Home for Incurables to take and hold real estate to the amount of two hundred and fifty thousand dollars in value."

"An act in relation to infectious and contagious diseases of animals."

"An act to authorize a tax of three-tenths of a mill per dollar of valuation to provide for a deficiency in the sinking fund under article 7, section 3 of the Constitution."

"An act to legalize the acts of Miles H. Bergen as notary public."

"An act to provide that the superintendent of the poor of the county of Yates may be the keeper of the poor-house of said county."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), First. That a joint committee of the Legislature be appointed, three from the Senate by the President thereof, three from the Assembly by the Speaker thereof, to sit during the recess to examine and review the Code of Civil Procedure and also all bills submitted at this session by the commissioners to revise the statutes, and to report the result at the next session of the Legislature.

Second. That the said committee be at liberty, if they think proper, to report a bill either amending the Code of Civil Procedure, or consisting of a new Code of Civil Procedure, or the Code of Civil Procedure of 1849 as amended; also, one or more bills embodying, with such alterations and amendments as they think proper, the additional bills sub-

mitted by the said commissioners at this session, and repealing so much of the present statutes of the State as are obsolete or superseded thereby; and such temporary or supplemental bills as may be necessary or proper, and any other bills which they may deem expedient, having for their object the revision, consolidation and simplification of the statutes.

Third. That each bill so reported be reported in print, and a copy thereof be furnished to each member of the Legislature, and thereupon that the said bill be placed upon the calendar of general orders in each house, in like manner and with like effect as if reported favorably by a standing committee of such house and be acted upon without being again printed.

Fourth. That for the purpose of carrying this resolution into effect the said joint committee be authorized to employ such counsel to aid them and such assistants and clerks as they deem proper, and to incur such reasonable expenses as they think proper for traveling, office rent, books, printing, postage, stationery and other incidental matters; but the whole expenditures for all purposes shall not exceed \$15,000.

Ordered, That said resolution be laid upon the table.

The Senate sent for concurrence the following entitled bills:

"An act to authorize the postponement of the levy of a tax to pay bonds issued by the town of Vienna, in the county of Oneida, to facilitate the construction of the New York and Oswego Midland railroad, not yet matured," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to extend the time for the sale of the Genesee Valley canal as provided in chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State and the lands, rights and other property connected therewith,'" which was read the first time, and by unanimous consent was also read the second time.

Mr. Skinner moved to substitute said bill for Assembly bill No. 366 on the same subject.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

"An act to amend section 37 of title 1 of chapter 5, part 3 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 411 of the Laws of 1877, entitled 'An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

"An act to amend chapter 440 of the Laws of 1876, entitled 'An act to amend an act entitled An act to incorporate the city of Cohoes,' passed May 19, 1869, and the act amendatory of the same, passed March 4, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize the Attorney-General, the Superintendent of Public Works and the Superintendent of State Prisons to have official

seals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the adjustment and payment of unpaid taxes due the county of Westchester by the towns of West Farms, Morrisania and Kingsbridge, lately annexed to the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 129 of the Laws of 1872, entitled 'An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy,' passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act transferring a portion of the Chemung canal to the city of Elmira for street purposes," which was read the first time, and by unanimous consent was also read the second time.

Mr. Beard moved to substitute said bill for Assembly bill No. 347 on the same subject, now in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

"An act to amend chapter 443 of the Laws of 1876, entitled 'An act supplemental to the act entitled An act to revise the charter of the city of Syracuse,' passed March 3, 1857, and the acts amendatory thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to fix the compensation of justices of sessions in Monroe county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to create a police pension fund for disabled and retired policemen in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act for the better protection of life and property in case of fire," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on

The Senate returned Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Newburgh,' passed April 22, 1865, and the several acts amendatory thereof," with a message that they have passed the same, with the following amendments:

Section 1, line 1, after the words "title two of," insert the words "chapter 541 of the Laws of 1865, entitled."

Same section, lines 2 and 3, strike out the words "passed April 22, 1865."

Same section, line 18, after the word "marshal," insert the word "and."

Same section, line 19, strike out the words "and one poundmaster."

Section 2, line 12, strike out the words "and one poundmaster."

Section 19, line 8, strike out the words "twelve hundred," and insert the words "one thousand."

Section 28, title 11, strike out the words "John S. Heard, Nathaniel Deyo, William H. Callahan and William Townsend are hereby appointed a board of health of the city of Newburgh, and," and insert in lieu thereof "within ten days after the passage of this act."

Same section, line 6, strike out the word "said," and insert the word "the."

Same line, after the word "city," insert the words "of Newburgh."

Sub-division 9, title 11, line 16, strike out all after the word "regulation" down to and including the word "premises" in line 20, and insert as follows:

"Upon the owner of any premises whereon any such nuisance or other matter aforesaid shall exist in case said owner reside in said city; and in case he does not reside in said city, then on the occupant or occupants of such premises; and in case such notice cannot be served in said city on either owner or occupant, then by posting the same in some conspicuous place on said premises."

Insert, as section 30, the following:

"Section 30. Section 3 of title 4 of said act to incorporate the city of Newburgh as subsequently amended by act passed March 14, 1876, is hereby further amended so as to read as follows:

"§ 3. The supervisors and collectors provided for by this act, shall have the same powers and duties as supervisors and collectors in any town in the county of Orange, except as otherwise provided in this act, and the said supervisors shall be members of the board of supervisors of the county of Orange. All said supervisors *hereafter elected* shall each receive from the county of Orange the same compensation as supervisors of towns in said county, and from the city of Newburgh the additional sum of *seventy-five dollars for each supervisor. The supervisors now in office shall receive the compensation allowed by law at the time of their election.*"

Change section 30 to section 31.

Amend the title so as to read as follows:

"An act to amend chapter 457 of the Laws of 1865, entitled 'An act to incorporate the city of Newburgh.'"

Mr. Speaker put the question whether the house would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOYT	MOOERS	SHANLEY
ALLEN	COSAD	HULME	NIVEN	SHEARD
ALVORD	CRAWFORD	HURD	NORTH	SHELDON
ANDREWS	CURRAN	JONES	NOYES	SKINNER
ASTOR	DAY	KEATOR	PALMER	STRACK
BAKER	DUELL	KELLOGG	PARKER	E. TAYLOR
BATHE	FISH	KERN	PATTENGILL	J. T. TAYLOR
BERGEN	FOSTER	KING	PATTERSON	THAIN
BERRY	GALVIN	LANGNER	DEWITT C. PECK	THOMSON
BOUCK	GILBERT	LOVELAND	PIPER	VALENTINE
BRUNDAGE	GRAHAM	LOWING	POOL	WAKELY
CASE	GRIGGS	MAPES	PROPER	WILBOR
CHAPPELL	HALLIDAY	MCDONOUGH	ROBERTS	WILLERS
CHASE	HAMILTON	MEAD	ROWLAND	WILLIAMS
CLANCY	HOBBIE	MEKEEL	SEABING	WILLIS
CLAPP	HOLBROOK	J. H. MILLER	SEWELL	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the Assembly bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of

supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors," with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, lines 5 and 6, strike out the words "passed June 5, 1875," and insert the words "and to regulate the compensation of supervisors."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HULME	MOERS	SEEBACHER
ALLEN	CURRAN	HURD	NIVEN	SEWELL
ALVORF	DAY	JONES	NORTH	SHEARD
ANDREWS	DUELL	KEATOR	NOYES	SHELDON
ASTOR	FISH	KELLOGG	PALMER	SKINNER
BAKER	FLOYD-JONES	KERN	PARKER	STORY
BATHE	FLYNN	KING	PATTENGILL	E. TAYLOR
BERGEN	GALVIN	LANGNER	CICERO C. PECK	TERRY
BERRY	GRAHAM	LOVELAND	PIPER	THAIN
BOUCK	HALLIDAY	LOWING	POOL	THOMSON
BROOKS	HAMILTON	MATTISON	PRESCOTT	VALENTINE
BRUNDAGE	HAVENS	MEAD	REYNOLDS	WILBOR
CHASE	I. I. HAYES	MEKEEL	ROBERTS	WILLIAMS
CLANCY	HOBBIE	J. H. MILLER	ROWLAND	WILLIS
CLARK	HOLBROOK	S. V. R. MILLER	SAWYER	WINCH
CORMACK	HOYT	MOLLER		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

By unanimous consent,

Mr. J. H. Miller introduced a bill entitled "An act in relation to the county treasurer of Wayne county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Miller, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 76.

NOES 4.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOLBROOK	MOOERS	ROWLAND
ALLEN	CROWLEY	HOYT	NELSON	SAWYER
ALVORD	CURRAN	HURD	NIVEN	SEARING
ASTOR	DEYOE	JONES	NORTH	SEEBACHER
BAKER	DUELL	KEATOR	NOYES	SHEARD
BATHE	FISH	KERN	PALMER	SHELDON
BERRIGAN	FLOYD-JONES	KING	PARKER	STORY
BERRY	FLYNN	LANGNER	PATTENGILL	SUTHERLAND
BOUCK	FOSTER	LOWING	DEWITT C. PECK	E. TAYLOR
BROWNING	GALVIN	MAPES	PIPER	VALENTINE
BRUNDAGE	GRAHAM	MATTISON	POOL	WARING
CASE	GRIGGS	MCDONOUGH	PRESCOTT	WEMPL
CHAPPELL	HALLIDAY	MEAD	PROPER	WILBOR
CHASE	HAVENS	J. H. MILLER	REYNOLDS	WILLIS
CLANCY	HOBBIE	S. V. R. MILLER	ROBERTS	WINCH
CORMACK				

Those who voted in the negative, were

BEARD	SKINNER	THOMSON	WILLIAMS
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. North introduced a bill entitled "An act to extend the time for collection of taxes in the city of Oswego," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. North, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOLBROOK	MOOERS	SHELDON
ALLEN	CRAWFORD	HOYT	NELSON	SKINNER
ANDREWS	CROWLEY	HURD	NIVEN	STORY
ASTOR	CURRAN	JONES	NORTH	STRACK
RAKER	DAY	KEATOR	NOYES	SUTHERLAND
BATHE	DUELL	KEEGAN	PALMER	E. TAYLOR
BEARD	FISH	KELLOGG	PARKER	J. T. TAYLOR
BERGEN	FLOYD-JONES	KERN	PATTENGILL	TERRY
BERRY	FLYNN	KING	DEWITT C. PECK	THOMSON
BOUCK	FOSTER	LANGNER	PEEK	VALENTINE
BROWNING	GALVIN	LOVELAND	POOL	WEMPLE
BRUNDAGE	GRAHAM	LOWING	ROBERTS	WILBOR
CASE	HALLIDAY	MCDONOUGH	ROWLAND	WILLERS
CHAPPELL	HAMILTON	MEAD	SAWYER	WILLIAMS
CHASE	HAVENS	MEKEEL	SEEBACHER	WILLIS
CLANCY	I. I. HAYES	S. V. R. MILLER	SEWELL	WINCH
CORMACK	HOBBIE	MOLLER	SHEARD	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Clark moved that Assembly bill entitled "An act to amend chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights and other property connected therewith,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Mead moved to discharge the committee of the whole from the further consideration of Assembly bill entitled "An act to legalize and confirm the official acts of Norman F. M. Clute, William Marsh and F. T. Pierson, justices of the peace of the town of Rotterdam, in the county of Schenectady," and that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOLBROOK	S. V. R. MILLER	ROWLAND
ALLEN	CRANDALL	HOYT	MOOERS	SEARING
ANDREWS	CURRAN	HULME	NELSON	SEEBACHER
ASTOR	DAY	HURD	NIVEN	SEWELL
BAKER	DEYOE	JONES	NORTH	SHELDON
BATHE	DUELL	KEATOR	NOYES	SKINNER
BEARD	FISH	KELLOGG	PALMER	STORY
BERGEN	FLOYD-JONES	KERN	PARKER	E. TAYLOR
BERRY	FLYNN	KING	PATTENGILL	J. T. TAYLOR
BOUCK	FOSTER	LANGNER	DEWITT C. PECK	THOMSON
BROWNING	GALVIN	LOVELAND	PEEK	VALENTINE
BRUNDAGE	GRAHAM	LOWING	PIPER	WARING
CASE	GRIGGS	MATTISON	POOL	WEMPLE
CHAPPELL	HAMILTON	MCDONOUGH	PRESCOTT	WILBOR
CHASE	HAVENS	MEAD	PROPER	WILLERS
CLARK	I. I. HAYES	MEKEEL	REYNOLDS	WILLIS
CORMACK	HOBBIE	J. H. MILLER	ROBERTS	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill entitled "An act to establish and settle the bulk head and pier lines for Newtown creek in the port of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The Senate returned the Assembly bill entitled "An act to extend the time for the completion of 'An act to authorize the construction of a railroad from at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East Greenbush, in the county of Rensselaer,' passed May 14, 1875," with a message that they have concurred in the passage of the same, with the following amendment :

Amend the title by inserting after the words "completion of" the words "a railroad authorized to be constructed by."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HAVENS	S. V. R. MILLER	SEARING
ALLEN	COSAD	HOBBIE	MOOERS	SHEARD
ANDREWS	CRANDALL	HOLBROOK	NIVEN	SKINNER
ASTOR	CRAWFORD	HOYT	NORTH	STORY
BATHE	CURRAN	HULME	NOYES	SUTHERLAND
BEARD	DALY	JONES	PARKER	E. TAYLOR
BERGEN	DAY	KEATOR	PATTENGILL	J. T. TAYLOR
BERRY	DUELL	KERN	PATTERSON	THAIN
BOUCK	FISH	KING	CICERO C. PECK	THOMSON
BROOKS	FLOYD-JONES	LANGNER	PEEK	VALENTINE
BROWNING	FLYNN	LOVELAND	PIPER	WARING
BRUNDAGE	FOSTER	LOWING	POOL	WEMPLE
CASE	GALVIN	MATTISON	PRESCOTT	WHEELER
CHAPPELL	GRAHAM	MCDONOUGH	REYNOLDS	WILBOR
CHASE	GRIGGS	MEAD	ROBERTS	WILLERS
CLANCY	HALLIDAY	MEKEEL	ROWLAND	WILLIS
CLAPP	HAMILTON	J. H. MILLER	SAWYER	WINCH
CLARK				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The privileges of the floor were granted to Hon. Bernard Biglin, a former member of this House.

Mr. Speaker announced, pursuant to the ninth joint rule, order of business, third reading of bills.

The bill entitled "An act to amend chapter 325 of the Laws of 1874, entitled 'An act to incorporate the village of Bath-on-the Hudson, Rensselaer county, New York,' passed May 5, 1874, and the act amendatory thereof, being chapter 284 of the Laws of 1876, entitled 'An act to amend chapter 325 of the Laws of 1874, entitled An act to incorporate the village of Bath-on-the-Hudson, Rensselaer county, New York,' passed May 5, 1874, passed May 15, 1876," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HEPBURN	S. V. R. MILLER	ROWLAND
ALLEN	CROWLEY	HOBBIE	MOLLER	SAWYER
ALVORD	CURRAN	HOLBROOK	MOOERS	SEARING
ANDREWS	DALY	HOYT	NIVEN	SEEBACHER
ASTOR	DAY	HULME	NORTH	SHELDON
BATHE	DUELL	HURD	NOYES	SKINNER
BERGEN	FISH	JONES	PALMER	STORY
BERRY	FITZGERALD	KEATOR	PARKER	SUTHERLAND
BOUCK	FLOYD-JONES	KEEGAN	PATTENGILL	J. T. TAYLOR
BROOKS	FLYNN	KERN	CICERO C. PECK	THOMSON
BROWNING	FOSTER	KING	DEWITT C. PECK	VALENTINE
BRUNDAGE	GALVIN	LANGNER	PEEK	WARING
CASE	GRAHAM	LOWING	PIPER	WEMPLE
CHAPPELL	GRIGGS	MAPES	POOL	WILBOR
CHASE	HALLIDAY	MATTISON	PRESCOTT	WILLERS
CLARK	HAMILTON	MCDONOUGH	PROPER	WILLIS
CORMACK	HAVENS	MEAD	ROBERTS	WINCH
COSAD	I. I. HAYES	J. H. MILLER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to auctioneers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOBBIE	MOOERS	SEWELL
ALLEN	CRANDALL	HOLBROOK	MEYENBORG	SHEARD
ALVORD	DALY	HURD	NIVEN	SHELDON
ANDREWS	DAY	JONES	NORTH	SKINNER
ASTOR	DUELL	KEATOR	NOYES	STORY
BAKER	FISH	KEEGAN	PARKER	SUTHERLAND
BATHE	FLOYD-JONES	KELLOGG	PATTENGILL	J. T. TAYLOR
BEARD	FLYNN	KERN	DEWITT C. PECK	TERRY

BERGEN	FOSTER	KING	PEEK	THOMSON
BERRY	GALVIN	LANGNER	PIPER	VALENTINE
BROOKS	GILBERT	LOVELAND	POOL	WARING
BROWNING	GRIGGS	LOWING	PRESCOTT	WEMPLE
BRUNDAGE	HALLIDAY	MAPES	PROPER	WILBOR
CASE	HAMILTON	MATTISON	REYNOLDS	WILLERS
CHAPPELL	HAVENS	MEAD	ROBERTS	WILLIAMS
CHASE	I. I. HAYES	MEKEEL	ROWLAND	WILLIS
CLARK	HEPBURN	J. H. MILLER	SEARING	WINCH
CORMACK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 2, chapter 33 of the Laws of 1878, entitled 'An act to amend 516 of the Laws of 1867, entitled 'An act for the further protection of female employes in the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 89.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOBBIE	MOLLER	SEARING
ALLEN	CRANDALL	HOLBROOK	MOERS	SEEBACHER
ALVORD	CRAWFORD	HOYT	MEYENBORG	SHEARD
ANDREWS	CURRAN	HURD	NELSON	SHELDON
ASTOR	DALY	JONES	NIVEN	SKINNER
BAKER	DAY	KEATOR	NORTH	SUTHERLAND
BATHE	DELL	KEEGAN	NOYES	E. TAYLOR
BEARD	FISH	KELLOGG	PATTENGILL	J. T. TAYLOR
BERGEN	FLOYD-JONES	KERN	CICERO C. PECK	TERRY
BERRY	FLYNN	KING	DEWITT C. PECK	THAIN
BOUCK	GALVIN	LANGNER	PEEK	THOMSON
BROOKS	GILBERT	LOVELAND	POOL	VALENTINE
BROWNING	GRIGGS	LOWING	PRESCOTT	WEMPLE
BRUNDAGE	HALLIDAY	MAPES	PROPER	WILBOR
CASE	HAMILTON	MATTISON	PURDY	WILLERS
CHAPPELL	HAVENS	MEEKEEL	REYNOLDS	WILLIS
CHASE	J. HAYES	J. H. MILLER	ROBERTS	WINCH
CLARK	HEPBURN	S. V. R. MILLER	ROWLAND	

For the negative,

SEWELL

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to establish and provide for the New York State Experimental Station," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 5.

Those who voted in the affirmative, were

ABBOTT	COSAD	J. HAYES	MEKEEL	SEEBACHER
ALLEN	CRANDALL	HENRY	J. H. MILLER	SEWELL
ALVORD	CURRAN	HEPBURN	S. V. R. MILLER	SHEARD
ANDREWS	DALY	HOBBIE	MOERS	SHELDON

ASTOR	DAY	HOLBROOK	MEYENBORG	SKINNER
BAKER	DUELL	HOYT	NORTH	STRACK
BATHE	FISH	HULME	NOYES	SUTHERLAND
BERGEN	FITZGERALD	HURD	PARKER	E. TAYLOR
BERRIGAN	FLOYD-JONES	JONES	CICERO C. PECK	J. T. TAYLOR
BERRY	FLYNN	KEATOR	PEEK	TERRY
BOUCK	FOSTER	KELLOGG	PIPER	THAIN
BROOKS	GALVIN	KERN	POOL	VALENTINE
BROWNING	GILBERT	LANGNER	PRESCOTT	WARING
BRUNDAGE	GRIGGS	LOWING	PURDY	WEMPLE
CHAPPELL	HALLIDAY	MAPES	ROBERTS	WILLIAMS
CLARK	HAMILTON	MATTISON	SEARING	WILLIS
CORMACK				

Those who voted in the negative, were

CHASE	NELSON	NIVEN	PATTENGILL	THOMSON
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Parker, from the committee on the petitions of aliens, to which was referred the bill introduced by Mr. E. Taylor, Int. No. 777, entitled "An act releasing the interest of the State in certain lands of which Patrick Kinney died possessed, to John Kinney and Patrick Kinney, his children and heirs-at-law," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The bill entitled "An act to incorporate the Tornado Hook and Ladder Company No. 1, of the village of Union, Broome county, N. Y.," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOLBROOK	S. V. R. MILLER	SAWYER
ALLEN	COSAD	HOYT	MOOERS	SHEARD
ALVORD	CRANDALL	HULME	MEYENBORG	SHELDON
ANDREWS	CROWLEY	HURD	NELSON	SKINNER
ASTOR	CURRAN	JONES	NIVEN	STORY
BAKER	DALY	KEATOR	NOYES	STRACK
BATHE	DAY	KELLOGG	PARKER	E. TAYLOR
BEARD	DUELL	KERN	PATTENGILL	J. T. TAYLOR
BERGEN	FISH	KING	DEWITT C. PECK	THOMSON
BERRIGAN	FITZGERALD	LANGNER	PEEK	VALENTINE
BERRY	FLOYD-JONES	LOVELAND	PIPER	WARING
BOUCK	FOSTER	LOWING	POOL	WEMPLE
BROWNING	GILBERT	MATTISON	PRESCOTT	WILBOR
BRUNDAGE	GRIGGS	MCDONOUGH	PURDY	WILLIAMS
CASE	HALLIDAY	MEKEEL	REYNOLDS	WILLIS
CHASE	HAMILTON	J. H. MILLER	ROBERTS	WINCH
CLARK	HOBBIE			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 484 of the Laws of 1862, entitled 'An act in relation to the courts in the city and county of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 76.

NOES 14.

Those who voted in the affirmative, were

ABBOTT	CLANCY	HALLIDAY	LOVELAND	REYNOLDS
ALLEN	CLARK	HAMILTON	LOWING	SEWELL
ALVORD	COSAD	I. I. HAYES	MAPES	SHANLEY
ANDREWS	CRANDALL	HEPBURN	MATTISON	SHEARD
ASTOR	CROWLEY	HOBBIE	MEAD	SHELDON
BATHE	CURRAN	HOLBROOK	MEKEEL	SKINNER
BEARD	DALY	HOYT	J. H. MILLER	STORY
BERGEN	DAY	HULME	MOOERS	STRACK
BERRIGAN	DEYOE	HURD	NIVEN	SUTHERLAND
BERRY	DUELL	JONES	NORTH	E. TAYLOR
BOUCK	FISH	KEATOR	PARKER	TERRY
BROWNING	FITZGERALD	KEEGAN	DEWITT C. PECK	WARING
BRUNDAGE	FLOYD-JONES	KELLOGG	PEEK	WHEELER
CASE	GRAHAM	KERN	POOL	WILBOR
CHAPPELL	GRIGGS	KING	PURDY	WILLIAMS
CHASE				

Those who voted for the negative, were

BROOKS	GALVIN	PRESCOTT	THAIN	WILLERS
CORMACK	GILBERT	ROBERTS	THOMSON	WILLIS
FOSTER	MCDONOUGH	SEEBACHER	WEMPLE	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence a resolution in the words following :

Resolved (if the Assembly concur), That a respectful message be sent to his Excellency the Governor, requesting the return to the Senate of Senate bill No. 95, entitled "An act for the protection of dairymen and dealers in milk, and to prevent deception in the sale of milk."

By unanimous consent, the rules were suspended, and said resolution was considered immediately.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Cormack offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill No. 396, entitled "An act to amend chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" be recommitted to the committee on internal affairs for further consideration by said committee, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish in the chair.

By unanimous consent,

Mr. Foster introduced a bill entitled "An act to amend chapter 138 of the Laws of 1870, entitled 'An act in relation to elections in the city and county of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The bill entitled "An act providing for reports of births, marriages and deaths, the registry of vital statistics, and the regulation of interments," having been announced for a third reading,

Mr. Speaker moved to recommit said bill to the committee on public health, with instructions to amend said bill in the words following, and said committee to report forthwith :

Add, at the end of section 1, the following :

"Provided, however, that a separate register may be kept, in which, under proper heads, may be entered, by direction of the board of health, after due inquiry into the truth thereof, births, marriages and deaths, which have not been reported within the time prescribed by this act, but are properly authenticated."

Add, at the end of section 4, the following:

"Any board of health shall have the power to expunge from the records any mistaken or fraudulent entry."

Section 9, lines 9 and 10, strike out, the words "if notice thereof has not previously been given."

Same section, line 10, strike out the word "neglect," and insert in lieu thereof the word "inquest."

Add, at the end of section 9, the following:

"No interment shall be allowed by the superintendent of any cemetery, vault or tomb, unless a permit therefor shall have been first issued by the proper board of health. Said superintendent shall in all cases collect and return said permits to the office from whence issued, within ten days after the interment, accompanied by a certificate, signed by the person who supervised such interment, specifying the place and date thereof."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. King, from the committee on public health, reported back said bill amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	NELSON	SEARING
ALLEN	CRANDALL	HOLBROOK	NIVEN	SEWELL
ALVORD	CRAWFORD	HOYT	NORTH	SHELDON
ANDREWS	CURRAN	HULME	NOYES	SKINNER
ASTOR	DALY	HURD	PALMER	SUTHERLAND
BAKER	DAY	JONES	PARKER	E. TAYLOR
BERGEN	DUELL	KEATOR	PATTENGILL	TERRY
BERRY	FISH	KELLOGG	CICERO C. PECK	TOWNSLEY
BOUCK	FITZGERALD	KERN	PEEK	VALENTINE
BROOKS	FLOYD-JONES	KING	PIPER	WAKELY
BROWNING	FLYNN	LANGNER	POOL	WARING
BRUNDAGE	FOSTER	LOVELAND	PRESCOTT	WEMPLE
BURNS	GILBERT	LOWING	PROPER	WILBOR
CASE	GRAHAM	MATTISON	PURDY	WILLIAMS
CHAPPELL	HALLIDAY	MEAD	ROBERTS	WILLIS
CHASE	HAVENS	MEKEEL	ROWLAND	WINCH
CLANCY	I. I. HAYES	S. V. R. MILLER	SAWYER	SPEAKER
CLARK	HEPBURN			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 373 of the Laws of 1866, entitled 'An act to authorize any town in the counties of Columbia or Rensselaer to aid in the completion of the Lebanon Springs railroad,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 75.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	I. I. HAYES	S. V. R. MILLER	SAWYER
ALLEN	CURRAN	HEPBURN	MOERS	SEARING
ALVORD	DALY	HOBBIE	NELSON	SEWELL
ANDREWS	DAY	HOYT	NIVEN	SHELDON
ASTOR	DUELL	HULME	NORTH	SKINNER
BAKER	FISH	HURD	NOYES	SUTHERLAND
BATHE	FITZGERALD	JONES	PARKER	E. TAYLOR
BERGEN	FLOYD-JONES	KEEGAN	PATTENGILL	J. T. TAYLOR
BOUCK	FLYNN	KERN	CICERO C. PECK	THAIN
BROOKS	FOSTER	KING	DeWITT C. PECK	THOMSON
BROWNING	GALVIN	LANGNER	PEEK	WARING
CASE	GILBERT	LOWING	POOL	WEMPLE
CHASE	HALLIDAY	MATTISON	PRESCOTT	WILBOR
CLANCY	HAMILTON	MEKEEL	PURDY	WILLIAMS
CORMACK	HAVENS	J. H. MILLER	REYNOLDS	WILLIS

Those who voted in the negative, were

COSAD MEYENBORG

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker again resumed the chair.

The bill entitled "An act to release to Jane Berry, of the town of Fallsburgh, Sullivan county, New York, the right, title and interest of the people of the State of New York in the real estate of which William Rescola died seized," having been announced for a third reading,

On motion of Mr. Niven, and by unanimous consent, said bill was amended as follows:

Section 1, line 5, strike out the word "Berry," and insert the word "Barry."

Amend the title by striking out the word "Berry," and inserting the word "Barry."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 91.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	MOERS	SHELDON
ALLEN	COSAD	HOLBROOK	MEYENBORG	SKINNER
ALVORD	CRANDALL	HOYT	NELSON	STRACK
ANDREWS	CURRAN	HULME	NIVEN	SUTHERLAND
ASTOR	DALY	HURD	PALMER	E. TAYLOR
BAKER	DUELL	JONES	PARKER	J. T. TAYLOR
BATHE	FISH	KEEGAN	PATTENGILL	TERRY
BEARD	FITZGERALD	KERN	DeWITT C. PECK	THAIN
BERGEN	FLOYD-JONES	KING	PEEK	VALENTINE
BERRY	FLYNN	LANGNER	PIPER	WAKELY
BOUCK	FOSTER	LOVELAND	POOL	WARING
BROOKS	GILBERT	LOWING	PRESCOTT	WEMPLE
BROWNING	GRIGGS	MAPES	PURDY	WHEELER
BRUNDAGE	HALLIDAY	MATTISON	ROBERTS	WILBOR

BURNS	HAMILTON	MCDONOUGH	SAWYER	WILLERS
CASE	HAVENS	MEKEEL	SEARING	WILLIAMS
CHAPPELL	I. I. HAYES	S. V. R. MILLER	SEEBACHER	WILLIS
CHASE	HEPBURN	MOLLER	SHEARD	WINCH
CLARK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to revise and consolidate the several acts relating to public instruction,' passed May 2, 1864, as amended by an act passed April 16, 1867," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HENRY	J. H. MILLER	ROBERTS
ALLEN	CRANDALL	HOBBIE	S. V. R. MILLER	SEARING
ALVORD	CROWLEY	HOLBROOK	MOLLER	SEWELL
ANDREWS	DALY	HOYT	MOOERS	SHEARD
ASTOR	DAY	HULME	NELSON	SHELDON
BAKER	DOUGLASS	HURD	NORTH	SKINNER
BATHE	DUELL	JONES	NOYES	STORY
BEARD	FISH	KEEGAN	PALMER	SUTHERLAND
BERRIGAN	FITZGERALD	KELLOGG	PARKER	E. TAYLOR
BERRY	FLOYD-JONES	KING	PATTENGILL	THOMSON
BOUCK	FLYNN	LANGNER	DEWITT C. PECK	VALENTINE
BROWNING	FOSTER	LOVELAND	PEEK	WARING
BRUNDAGE	GILBERT	LOWING	PIPER	WEMPLE
CASE	HALLIDAY	MATTISON	PRESCOTT	WHEELER
CHAPPELL	HAMILTON	MEAD	PURDY	WILBOR
CLARK	HAVENS	MEKEEL	REYNOLDS	WINCH
CORMACK	I. I. HAYES			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 447 of the Laws of 1877, entitled 'An act to establish the boundaries of school district No. 5 of the town of Flushing, and to provide for the collection of school taxes therein, and conferring additional powers and duties upon the board of education of said district,'" having been announced for a third reading,

Mr. Floyd-Jones moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was decided in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 66.

NOES 27.

Those who voted in the affirmative, were

ALLEN	DOUGLASS	HOBBIE	MOLLER	ROBERTS
BAKER	FITZGERALD	HOYT	MOOERS	SAWYER
BATHE	FLOYD-JONES	HULME	MEYENBORG	SEARING
BEARD	FLYNN	HURD	NEILSON	SEEBACHER
BERRIGAN	FOSTER	JONES	NIVEN	SHANLEY

BERRY	GALVIN	KEEGAN	NORTH	E. TAYLOR
BOUCK	GRAHAM	KELLOGG	PARKER	THAIN
BROWNING	HALLIDAY	KING	CICERO C. PECK	VALENTINE
BURNS	HAMILTON	LANGNER	PIPER	WARING
CLANCY	HAVENS	LOVELAND	POOL	WEMPLE
CRANDALL	J. HAYES	MAPES	PRESCOTT	WILBOR
CRAWFORD	HENRY	MCDONOUGH	PROPER	WILLERS
CROWLEY	HEPBURN	J. H. MILLER	PURDY	WILLIAMS
DAY				

Those who voted in the negative, were -

ALVORD	CORMACK	HOLBROOK	NOYES	SHELDON
ANDREWS	DALY	KERN	PALMER	SKINNER
ASTOR	DEYOE	LOWING	DEWITT C. PECK	THOMSON
BRUNDAGE	DUELL	MEKEEL	SEWELL	WILLIS
CHASE	FISH	S. V. R. MILLER	SHEARD	WINCH
CLARK	GILBERT			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the Comptroller to compromise and settle old judgments and contract debts," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HURD	PALMER	SKINNER
ALLEN	DAY	JONES	PARKER	SUTHERLAND
ALVORD	DOUGLASS	KELLOGG	PATTENGILL	E. TAYLOR
ANDREWS	DUELL	KERN	PATTERSON	J. T. TAYLOR
ASTOR	FISH	KING	CICERO C. PECK	TERRY
BAKER	FITZGERALD	LANGNER	PEEK	THAIN
BATHE	FLOYD-JONES	MAPES	PIPER	THOMSON
BERGEN	FLYNN	MEAD	ROBERTS	VALENTINE
BERRIGAN	FOSTER	J. H. MILLER	SAWYER	WARING
BERRY	GALVIN	S. V. R. MILLER	SEARING	WEMPLE
BROOKS	HALLIDAY	MOLLER	SEEBACHER	WILBOR
BROWNING	HEPBURN	MOOERS	SEWELL	WILLERS
CHASE	HOBBIE	MEYENBORG	SHANLEY	WILLIAMS
CLANCY	HOLBROOK	NEILSON	SHEARD	WILLIS
CORMACK	HOYT	NIVEN	SHELDON	SPEAKER
CRANDALL	HULME	NOYES		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in-addition to an act entitled 'An act relating to the Union cemetery, in the town of Bushwick, county of Kings, passed April 12, 1853,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 78. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HURD	NORTH	SHEARD
ALLEN	CRAWFORD	JONES	NOYES	SHELDON
ANDREWS	CROWLEY	KING	PARKER	SKINNER
BAKER	DEYOE	LANGNER	PATTENGILL	SUTHERLAND

BATHE	DOUGLASS	LOWING	PATTERSON	E. TAYLOR
BEARD	FISH	MAPES	PEEK	THAIN
BERGEN	FITZGERALD	MATTISON	PIPER	THOMSON
BOUCK	FLOYD-JONES	MEAD	PRESCOTT	VALENTINE
BROOKS	FLYNN	MEKEEL	PROPER	WARING
BRUNDAGE	HALLIDAY	J. H. MILLER	ROBERTS	WEMPLE
BURNS	HAVENS	S. V. R. MILLER	ROWLAND	WILBOR
CASE	HEPBURN	MOLLER	SAWYER	WILLERS
CHAPPELL	HOBBIE	MOOERS	SEARING	WILLIAMS
CHASE	HOLBROOK	MEYENBORG	SEWELL	WILLIS
CORMACK	HOYT	NEILSON	SHANLEY	WINCH
COSAD	HULME	NIVEN		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence a resolution in the words following :

Resolved (if the Assembly concur), That a respectful message be sent to his Excellency the Governor requesting the return of the Senate bill entitled "An act to legalize and confirm the proceedings of the common council of the city of Poughkeepsie in relation to making, levying and collecting assessments for the construction of sewers in said city during the years 1873 and 1874, and to authorize the correction of sewer assessment rolls, so far as the same relate to unpaid assessments levied during said years."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker presented a communication from the corporation counsel of the city of New York, in the words following :

OFFICE OF THE COUNSEL TO THE CORPORATION, }
NEW YORK, April 10, 1878. }

HON. JAMES W. HUSTED, *Speaker of the Assembly* :

Sir—I have the honor to transmit schedules, partially complying with the resolution passed by the Assembly on the 28th of March, requesting information from this department. To complete the material asked for will require further time, as the matter is voluminous. The schedule of judgments begins October 1, 1876, instead of January, 1877, because the courts open October 1, making the court year properly begin on that date. I will furnish hereafter the statements of judgments assented to. It will require time, as the method or system adopted has been, never to assent to the entry of a judgment without addressing to the finance department a communication, giving the grounds for believing that the city could not successfully defend against the action, and allowing a sufficient time thereafter to elapse to enable any mistakes to be corrected by the finance department, if anything had been overlooked by us. In this way it comes about that judgments entered by consent have been the subject of correspondence in all cases, and the reasons are matter of public record. The amount of profitless litigation thus wiped out has been large; and I shall require twenty days' further time to go over the records, in order to make up a full statement of the ones assented to by the city. The other data requested I will also forward.

Yours very respectfully,

W. C. WHITNEY.

Mr. Daly moved that the extension of time asked for be granted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Daly moved that the report from the corporation counsel, as furnished to this House, be laid upon the table and printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

(See Doc. No. 115.)

The bill entitled "An act to secure the payment of mechanics, laborers and workingmen who perform work; also persons furnishing materials towards the erection, altering or repairing buildings, wharfs, vaults or any other structure in the city and county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOLBROOK	MOOERS	SHANLEY
ALLEN	CRANDALL	HOYT	MEYENBORG	SHEARD
ALVORD	CRAWFORD	HURD	NELSON	SHELDON
BAKER	CURRAN	JONES	NIVEN	SKINNER
BATHE	DALY	KEEGAN	NORTH	SUTHERLAND
BEARD	DEYOE	KELLOGG	NOYES	E. TAYLOR
BERRIGAN	FISH	KING	PALMER	TERRY
BERRY	FITZGERALD	LANGNER	CICERO C. PECK	THAIN
BOUCK	FLOYD-JONES	LOVELAND	DEWITT C. PECK	VALENTINE
BROOKS	FLYNN	LOWING	PIPER	WARING
BROWNING	FOSTER	MAPES	PRESCOTT	WEMPLE
BRUNDAGE	GALVIN	MATTISON	REYNOLDS	WILBOR
BURNS	HALLIDAY	MEAD	ROWLAND	WILLERS
CHASE	HAMILTON	MEKEEL	SAWYER	WILLIAMS
CLARK	HENRY	J. H. MILLER	SEEBACHER	WILLIS
CORMACK	HEPBURN	S. V. R. MILLER	SEWELL	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes, so far as the same relates to Ulster county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOYT	NELSON	SEWELL
ALLEN	DALY	HURD	NIVEN	SHEARD
ALVORD	DEYOE	JONES	NORTH	SHELDON
ANDREWS	DUELL	KEATOR	NOYES	SKINNER
ASTOR	FISH	KELLOGG	PALMER	E. TAYLOR
BAKER	FITZGERALD	KING	CICERO C. PECK	TERRY
BERRIGAN	FLOYD-JONES	LANGNER	DEWITT C. PECK	THAIN
BERRY	FLYNN	LOVELAND	PECK	THOMSON
BOUCK	FOSTER	LOWING	PIPER	VALENTINE
BROOKS	GALVIN	MAPES	PRESCOTT	WARING
BROWNING	HAMILTON	MCDONOUGH	REYNOLDS	WEMPLE

BURNS	HAVENS	MEAD	ROBERTS	WILBOR
CASE	HENRY	MEKEEL	ROWLAND	WILLERS
CHASE	HEPBURN	S. V. R. MILLER	SAWYER	WILLIAMS
CRANDALL	HOBBIE	MOLLER	SEARING	WILLIS
CRAWFORD	HOLBROOK	MOOERS	SEEBACHER	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' so far as the same relates to the village of Northville, in the county of Fulton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HEPBURN	S. V. R. MILLER	SHEARD
ALLEN	CRAWFORD	HOBBIE	MOLLER	SHELDON
ALVORD	CURRAN	HOLBROOK	MOOERS	SKINNER
ANDREWS	DALY	HOYT	NELSON	SUTHERLAND
BAKER	DEYOE	HULME	NOYES	E. TAYLOR
BATHE	DOUGLASS	HURD	PALMER	TERRY
BEARD	DUELL	JONES	PATTENGILL	THAIN
BERRIGAN	FISH	KEEGAN	PEEK	THOMSON
BERRY	FITZGERALD	KELLOGG	PIPER	VALENTINE
BOUCK	FLOYD-JONES	KING	REYNOLDS	WARING
BROOKS	FLYNN	LANGNER	ROBERTS	WEMPLE
BROWNING	FOSTER	LOWING	ROWLAND	WILBOR
BRUNDAGE	GALVIN	MAPES	SAWYER	WILLIAMS
BURNS	GILBERT	MATTISON	SEARING	WILLIS
CHASE	GRIGGS	MEKEEL	SEEBACHER	WINCH
CLARK	HAMILTON	J. H. MILLER	SEWELL	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1, chapter 316 of the Laws of 1876, entitled 'An act relative to judgments entered upon forfeited recognizances in the city and county of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	KEATOR	PALMER	SHELDON
ALLEN	DAY	KELLOGG	PARKER	SKINNER
ALVORD	DUELL	KERN	DEWITT C. PECK	STRACK
ANDREWS	FISH	LANGNER	PEEK	SUTHERLAND
ASTOR	FITZGERALD	MEAD	PIPER	E. TAYLOR
BAKER	FLOYD-JONES	MEKEEL	POOL	TERRY
BATHE	FOSTER	J. H. MILLER	PRESCOTT	THAIN
BEARD	GALVIN	S. V. R. MILLER	REYNOLDS	THOMSON
BERRY	HALLIDAY	MOLLER	ROBERTS	WARING
BOUCK	HAMILTON	MOOERS	ROWLAND	WEMPLE
BROOKS	HOBBIE	MEYENBORG	SAWYER	WILBOR
BROWNING	HOLBROOK	NELSON	SEARING	WILLERS

BRUNDAGE	HOYT	NIVEN	SEEBACHER	WILLIAMS
COSAD	HULME	NORTH	SEWELL	WILLIS
CRANDALL	HURD	NOYES	SHEARD	WINCH
CRAWFORD	JONES			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to annex the village of West Mount Vernon in the county of Westchester to the village of Mount Vernon in the said county, to confirm the tax sales heretofore held in the said village of West Mount Vernon and to provide for the division of the said village of Mount Vernon into wards after the annexation of the said village of West Mount Vernon." was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOYT	MOOERS	SHANLEY
ALLEN	CURRAN	HULME	MEYENBORG	SHEARD
ANDREWS	DAY	HURD	NIVEN	SHELDON
BATHE	DEYOE	JONES	NORTH	SKINNER
BERGEN	DOUGLASS	KEATOR	NOYES	STRACK
BERRIGAN	FISH	KELLOGG	PARKER	SUTHERLAND
BERRY	FITZGERALD	KERN	CICERO C. PECK	E. TAYLOR
BOUCK	FLOYD-JONES	KING	PEEK	TERRY
BROOKS	FOSTER	LANGNER	PIPER	THOMSON
BROWNING	GALVIN	LOVELAND	PRESCOTT	WARING
BRUNDAGE	GILBERT	LOWING	REYNOLDS	WEMPLE
BURNS	HALLIDAY	MATTISON	ROBERTS	WILBOR
CASE	HAMILTON	MCDONOUGH	ROWLAND	WILLERS
CHAPPELL	HAVENS	MEAD	SAWYER	WILLIAMS
CLARK	HEPBURN	MEKEEL	SEARING	WILLIS
COSAD	HOBBIE	S. V. R. MILLER	SEEBACHER	WINCH
CRANDALL	HOLBROOK	MOLLER	SEWELL	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to secure the better application of funds to relieve the poor in the town of Plattsburgh, in the county of Clinton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77. NOES 2.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOYT	NOYES	SHELDON
ALLEN	CROWLEY	HULME	PALMER	SKINNER
ALVORD	CURRAN	HURD	PARKER	SUTHERLAND
ANDREWS	DEYOE	KEATOR	CICERO C. PECK	E. TAYLOR
ASTOR	DUELL	KELLOGG	DEWITT C. PECK	TERRY
BAKER	FISH	LANGNER	PEEK	THOMSON
BATHE	FLOYD-JONES	LOWING	PIPER	VALENTINE
BERGEN	FOSTER	MATTISON	PRESCOTT	WARING
BERRIGAN	GALVIN	MCDONOUGH	ROBERTS	WEMPLE
BERRY	GILBERT	MEAD	ROWLAND	WHEELER
BOUCK	HALLIDAY	S. V. R. MILLER	SAWYER	WILBOR

BROOKS	HAMILTON	MOLLER	SEARING	WILLERS
BROWNING	HAVENS	MOOERS	SEEBACHER	WILLIAMS
BRUNDAGE	HEPBURN	MEYENBORG	SEWELL	WILLIS
CLARK	HOBBIE	NORTH	SHANLEY	WINCH
COSAD	HOLBROOK			

Those who voted in the negative, were

BEARD JONES

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor."

"An act to provide for the appointment of special game constables.

"An act to legalize the official acts and proceedings of Alanson King, Andrew Sheldon and Harvey Wellman, as commissioners of excise of the town of Perry, Wyoming county."

"An act to amend section 1 of chapter 347, of the Laws of 1870, entitled 'An act to incorporate the fire department of the village of Canton.'"

The bill entitled "An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 79.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CHAPPELL	HALLIDAY	MEKEEL	PURDY
ALLEN	CLARK	HAMILTON	S. V. R. MILLER	REYNOLDS
ALVORD	CRANDALL	HAVENS	MOOERS	ROWLAND
ANDREWS	CROWLEY	J. HAYES	MEYENBORG	SAWYER
ASTOR	CURRAN	HEPBURN	NELSON	SEARING
BAKER	DALY	HOLBROOK	NIVEN	SHANLEY
BATHE	DAY	HOYT	NORTH	SHEARD
BEARD	DEYOE	HULME	NOYES	SKINNER
BERGEN	DUELL	HURD	PALMER	E. TAYLOR
BERRIGAN	FISH	JONES	PARKER	TERRY
BERRY	FITZGERALD	KEATOR	CICERO C. PECK	THOMSON
BOUCK	FLOYD-JONES	KEEGAN	DEWITT C. PECK	WARING
BROOKS	FLYNN	KERN	PEEK	WILBOR
BROWNING	FOSTER	LANGNER	PIPER	WILLIAMS
BRUNDAGE	GALVIN	LOWING	POOL	WILLIS
CASE	GRIGGS	MEAD	PRESCOTT	

Those who voted in the negative, were

COSAD WILLERS WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the trustees of school district No. 2 of the town of Hinsdale to lease the upper story of the district school-house to the town of Hinsdale for a town hall and other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOYT	NELSON	SAWYER
ALLEN	CROWLEY	HULME	NIVEN	SEARING
ALVORD	CURRAN	JONES	NORTH	SEWELL
ANDREWS	FISH	KEATOR	NOYES	SHANLEY
ASTOR	FITZGERALD	KEEGAN	PALMER	SHEARD
BAKER	FLOYD-JONES	KELLOGG	PARKER	SHELDON
BEARD	FLYNN	KERN	PATTENGILL	SKINNER
BERGEN	GALVIN	KING	DEWITT C. PECK	STRACK
BERRIGAN	GILBERT	LANGNER	PEEK	SUTHERLAND
BERRY	GRIGGS	LOWING	PIPER	TERRY
BOUCK	HALLIDAY	MATTISON	POOL	THOMSON
BROOKS	HAMILTON	MCDONOUGH	PRESCOTT	WARING
BROWNING	HAVENS	MEAD	PROPER	WEMPLE
BRUNDAGE	HENRY	MEKEEL	PURDY	WILBOR
CHAPPELL	HEPBURN	J. H. MILLER	REYNOLDS	WILLERS
CLARK	HOBBIE	S. V. R. MILLER	ROBERTS	WILLIS
CORMACK	HOLBROOK	MEYENBORG	ROWLAND	WINCH
CRANDALL				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 118 of the Laws of 1873, entitled 'An act to provide for the construction and improvement of the road from Piseco lake to Claffin's tannery, in the county of Hamilton,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOLBROOK	S. V. R. MILLER	SEEBACHER
ALLEN	CURRAN	HOYT	MOOERS	SEWELL
ALVORD	DAY	HULME	MEYENBORG	SHEARD
ANDREWS	DEYOE	HURD	NEILSON	SHELDON
ASTOR	DOUGLASS	JONES	NIVEN	SKINNER
BEARD	DUELL	KEATOR	NORTH	STRACK
BERRIGAN	FISH	KEEGAN	NOYES	SUTHERLAND
BERRY	FITZGERALD	KELLOGG	PARKER	E. TAYLOR
BOUCK	FLOYD-JONES	KERN	PATTENGILL	J. T. TAYLOR
BROWNING	GILBERT	KING	DEWITT C. PECK	TERRY
BRUNDAGE	GRAHAM	LANGNER	PEEK	THAIN
BURNS	GRIGGS	LOWING	PIPER	THOMSON
CHASE	HALLIDAY	MAPES	POOL	WARING
CLARK	HAMILTON	MATTISON	PRESCOTT	WEMPLE
CORMACK	HAVENS	MEAD	ROWLAND	WILBOR
COSAD	I. I. HAYES	MEKEEL	SAWYER	WILLERS
CRANDALL	HEPBURN	J. H. MILLER	SEARING	WILLIS

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The "Concurrent resolutions proposing amendments to section 6 of article 10, and sections 3, 5 and 6 of article 3 of the Constitution," were read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said resolutions, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 75.

NOES 30.

Those who voted in the affirmative, were

ABBOTT	COSAD	KEATOR	PARKER	SKINNER
ALLEN	CRANDALL	KELLOGG	PATTENGILL	SLITER
ALVORD	CROWLEY	KING	CICERO C. PECK	STRACK
ANDREWS	DEYOE	LANGNER	DEWITT C. PECK	SUTHERLAND
ASTOR	DUELL	LOVELAND	PIPER	E. TAYLOR
BERRY	FLYNN	MATTISON	POOL	J. T. TAYLOR
BOUCK	GILBERT	MEAD	PRESCOTT	TERRY
BROOKS	HALLIDAY	MEKEEL	PROPER	THAIN
BROWNING	HAVENS	S. V. R. MILLER	REYNOLDS	THOMSON
BRUNDAGE	HENRY	MOLLER	ROBERTS	VALENTINE
CASE	HEPBURN	MOOERS	ROWLAND	WAKELY
CHASE	HOLBROOK	NIVEN	SAWYER	WARING
CLANCY	HOYT	NORTH	SEWELL	WILLERS
CLARK	HULME	NOYES	SHEARD	WILLIAMS
CORMACK	HURD	PALMER	SHELDON	WILLIS

Those who voted in the negative, were

BATHE	CURRAN	GRADY	JONES	PATTERSON
BEARD	DOUGLASS	GRAHAM	KEEGAN	PEEK
BERRIGAN	FITZGERALD	GRIGGS	LOWING	SEEBACHER
BURNS	FOSTER	HAMILTON	MAPES	SHANLEY
CHAPPELL	FRANK	I. I. HAYES	MCDONOUGH	STORY
CRAWFORD	GALVIN	J. HAYES	MEYENBORG	WEMPLE

Ordered, That the Clerk deliver said resolutions to the Senate and request their concurrence therein.

When the name of Mr. Fish was called, he stated that he was paired with Mr. Wadsworth.

The Senate bill entitled "An act to provide for the incorporation of pipe line companies, and to regulate the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 76.

NOES 30.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HENRY	NIVEN	SEWELL
ALLEN	DALY	HEPBURN	PALMER	SHEARD
ASTOR	DAY	HOYT	PARKER	SHELDON
BEARD	DEYOE	HURD	PATTENGILL	SKINNER
BERRY	DUELL	KELLOGG	DEWITT C. PECK	SLITER
BOUCK	FISH	KING	PEEK	STORY
BROOKS	FITZGERALD	LANGNER	PIPER	E. TAYLOR
BROWNING	FLOYD-JONES	LOVELAND	POOL	TERRY
BRUNDAGE	FLYNN	LOWING	PRESCOTT	THAIN
CHASE	GILBERT	MATTISON	PURDY	THOMSON
CLANCY	GRADY	MEAD	REYNOLDS	WARING
CLAPP	GRAHAM	J. H. MILLER	ROBERTS	WILBOR
CORMACK	HALLIDAY	S. V. R. MILLER	ROWLAND	WILLERS
COSAD	HAMILTON	MOOERS	SEARING	WILLIAMS
CRANDALL	I. I. HAYES	NEILSON	SEEBACHER	WINCH
CROWLEY				

Those who voted in the negative, were

ALVORD	FOSTER	HOLBROOK	MAPES	PATTERSON
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BATHE	FRANK	HULME	McDONOUGH	PROPER
BERRIGAN	GALVIN	JONES	MEKEEL	SHANLEY
CHAPPELL	GRIGGS	KEATOR	MOLLER	SUTHERLAND
CLARK	HAVENS	KEEGAN	MEYENBORG	VALENTINE
CRAWFORD	HOBBIE	KERN	NOYES	WILLIS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

When the name of Mr. C. C. Peck was called, he stated that he was paired with Mr. North.

The bill entitled "An act limiting the time and expense of completing the Adirondack survey," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81. NOES 4.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HAMILTON	MEKEEL	SEARING
ALLEN	CRAWFORD	I. I. HAYES	S. V. R. MILLER	SEEBACHER
ALVORD	CURRAN	HEPBURN	MOOERS	SEWELL
ANDREWS	DALY	HOLBROOK	NEILSON	SHEARD
ASTOR	DAY	HOYT	NIVEN	SHELDON
BATHE	DEYOE	HULME	NOYES	SKINNER
BEARD	DUELL	HURD	PALMER	STORY
BERGEN	FISH	JONES	PATTENGILL	SUTHERLAND
BERRIGAN	FLOYD-JONES	KEEGAN	DeWITT C. PECK	TERRY
BERRY	FLYNN	KELLOGG	PEEK	THAIN
BOUCK	FOSTER	KERN	PIPER	THOMSON
BROOKS	GALVIN	KING	POOL	VALENTINE
BROWNING	GILBERT	LANGNER	PRESCOTT	WARING
BRUNDAGE	GRADY	LOVELAND	PURDY	WILBOR
CHASE	GRIGGS	LOWING	ROBERTS	WILLIAMS
CLAPP	HALLIDAY	MEAD	ROWLAND	WILLIS
CONVERSE				

Those who voted in the negative, were

HAVENS	MATTISON	CICERO C. PECK	WILLERS
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Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act in relation to payment of railroad fares," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 73. NOES 24.

Those who voted in the affirmative, were

ABBOTT	DAY	HULME	NORTH	SHANLEY
ALLEN	DOUGLASS	KEEGAN	PALMER	SHEARD
ALVORD	FISH	KERN	PATTENGILL	SHELDON
ANDREWS	FLOYD-JONES	KING	PATTERSON	SKINNER
ASTOR	FLYNN	LANGNER	CICERO C. PECK	STRACK
BERGEN	FOSTER	LOWING	DeWITT C. PECK	SUTHERLAND
BROOKS	GALVIN	McDONOUGH	PIPER	E. TAYLOR
CHAPPELL	GILBERT	MEAD	POOL	TERRY
CHASE	GRADY	MEKEEL	PRESCOTT	THAIN
CLAPP	GRAHAM	J. H. MILLER	PURDY	THOMSON
CORMACK	HAMILTON	S. V. R. MILLER	ROBERTS	VALENTINE

CRANDALL	I. I. HAYES	MOLLER	ROWLAND	WARING
CROWLEY	HENRY	MEYENBORG	SAWYER	WILMS
CURRAN	HEPBURN	NEILSON	SEEBACHER	WORTH
DALY	HOYT	NIVEN		

Those who voted in the negative, were

BATHE	CLARK	JONES	MATTISON	SEWELL
BOUCK	COSAD	KEATOR	NELSON	WILBOR
BROWNING	DEYOE	KELLOGG	NOYES	WILLERS
BRUNDAGE	FRANK	LOVELAND	PROPER	WINCH
CLANCY	HOLBROOK	MAPES	SEARING	

Ordered. That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Chappell offered, for the consideration of the House, a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 110, entitled "An act in relation to coroners' fees and post-mortem examinations in the county of Monroe."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered. That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Alvord moved that the special order for this morning, being "An act to secure better public administration in the local government of the city of New York;" also, the "Concurrent resolutions proposing an amendment to article 7 of the Constitution;" also, "An act in relation to canals," be made a special order for this afternoon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. E. Taylor introduced a bill entitled "An act in relation to the manual labor school upon the Tonawanda reservation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Mr. Galvin introduced a bill entitled "An act designating the place of assessment and taxation of personal property of the New York Central and Hudson River Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Deyoe introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Purdy introduced a bill entitled "An act creating the office of clerk of the court of special sessions of the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Clark introduced a bill entitled "An act for the distribution of the acts of the Legislature to town clerks' offices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sheldon offered, for the consideration of the House, privileged resolutions in the words following :

Whereas, It has pleased the great Ruler of the Universe to remove from our midst the Hon. A. V. Smiley, a former member of this House ; and

Whereas, His former associations with this Legislature have been such as to endear him to all who were privileged to enjoy his acquaintance and co-operate with him in his earnest and well-directed efforts toward wise and wholesome legislation ; therefore,

Resolved, That in his death we feel that we have lost a dear friend, an upright citizen, and a faithful legislator, whose record as a member of this House is alike honorable and stainless.

Resolved, That as a mark of respect to the memory of the deceased, this House do now take a recess until half-past four P. M.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

Whereupon the House took a recess until half-past four P. M.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

Mr. Prescott called from the table the concurrent resolution in the words following :

Resolved (if the Assembly concur), That the Governor be and he is hereby authorized to issue to the Utica Citizen's Corps, sufficient camp equipage to replace that which said corps loaned to the State, and which has never been returned to them.

Mr. Speaker put the question whether the House would agree to take said resolution from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Alvord offered, for the consideration of the House, a resolution in the words following :

Resolved, That the Assembly concurrent resolutions (No. 121) "Proposing an amendment to section 6 of article 3 of the Constitution," now upon the order of third reading of bills, be referred to the committee on ways and means, retaining its place on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. D. W. C. Peck, from the committee on public education, to which was referred the Senate bill introduced by Mr. Sessions, Int. No. 53, entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'"

reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Speaker announced, pursuant to ninth joint rule, the order of business, third reading of bills.

Mr. Alvord moved to lay said order of business upon the table, for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker then announced the special order of the day, being the Assembly bill entitled "An act to secure better public administration in the local government of the city of New York."

The House then resolved itself into a committee of the whole on the above named bill, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Browning, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Speaker then announced the special order of the day, being the Assembly concurrent resolutions "Proposing an amendment to article 7 of the Constitution."

The House again resolved itself into a committee of the whole on the above named resolutions, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Mapes, from said committee, reported in favor of the passage of said resolutions, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Alvord moved that said resolutions be recommitted to the committee on canals.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Daly moved that the Assembly bill entitled "An act to amend an 'Act to provide for a uniform system for the repavement of streets, avenues and public places in the city of New York,' passed May 28, 1875," be reprinted as amended, and said amendments be printed in italics.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Moller, Int. No. 752, entitled "An act imposing a tax and prescribing the mode of collecting the same, on the privilege of selling wine, ardent spirits or malt liquors within the limits of the city of New York," reported in favor of the passage of the same, with amendments (Messrs. I. I. Hayes, Skinner and Waring dissenting), which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Waring, Int. No. 803, entitled "An act to regulate and control the raising and spending of the public moneys in the county of Kings," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Andrews, Int. No. 834, entitled "An act to

amend an act entitled 'An act to legalize the adoption of minor children by adult persons,' passed June 25, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Crowley, Int. No. 312, entitled "An act authorizing the trustees of the Grosvenor Library of Buffalo to sell certain real estate," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to authorize the trustees of the Grosvenor Library in the city of Buffalo to sell certain real estate and to perfect the title to the same, and to amend the law respecting the maintenance of said library," which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Crowley, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Searing, Int. No. 531, entitled "An act to secure the payment of laborers, mechanics, traders, and persons furnishing materials towards the performing of any public work in the cities of the State of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to amend chapter 482 of the Laws of 1875, entitled "An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors."

"An act to amend chapter 82 of the Laws of 1850, entitled 'An act for the protection of purchasers of real estate upon sales made by order of surrogates, and all acts amendatory thereof and supplementary thereto, so as to apply the provisions of said act to mortgages and leases made by the order of surrogates.'"

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Speaker then announced the special order of the day, being the Assembly bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1878, and to provide for an anticipated deficiency in former appropriations."

The House then resolved itself into a committee of the whole on the above named bill, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Chappell, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. I. I. Hayes moved to discharge the committee of the whole from the further consideration of said bill, and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then announced the special order of the day, being the Assembly bill entitled "An act in relation to canals."

The House again resolved itself into a committee of the whole on the above named bill, and after some time spent therein, Mr. Speaker

resumed the chair, and Mr. Prescott, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. Alvord moved that said bill be made a special order for Tuesday next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate returned the Senate bill entitled "An act to legalize and confirm the proceedings of the common council of the city of Poughkeepsie in relation to making, levying and collecting of assessments for the construction of sewers in said city during the years 1873 and 1874, and to authorize the construction of sewer assessment rolls so far as the same relate to unpaid assessments during said years," stating that

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Wendover, and by unanimous consent, the same was amended as follows :

Add, as section 3, the following :

"§ 3. Nothing in this act shall render any party liable to pay an assessment under the amendment hereby authorized, which he would not have been liable to pay had the proceedings hereby authorized been originally taken."

Make section 3, section 4.

The amendments having been read,

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ALVORD	CURRAN	HOYT	NELSON	SHANLEY
ANDREWS	DAY	HULME	NORTH	SHEARD
ASTOR	DEYOE	JONES	NOYES	SHELDON
BAKER	DUELL	KEATOR	PARKER	SKINNER
BERGEN	FISH	KEEGAN	PATTENGILL	STORY
BERRIGAN	FITZGERALD	KERN	CICERO C. PECK	STRACK
BERRY	FLOYD-JONES	KING	PEEK	SUTHERLAND
BOUCK	FLYNN	LANGNER	PIPER	E. TAYLOR
BROOKS	FOSTER	LOVELAND	PRESCOTT	TERRY
BROWNING	GRIGGS	LOWING	PROPER	THAIN
CASE	HALLIDAY	MCDONOUGH	REYNOLDS	THOMSON
CHASE	HAMILTON	MEAD	ROBERTS	WEMPLE
CLAPP	I. I. HAYES	MEKEEL	ROWLAND	WILBOR
CLARK	HEPBURN	J. H. MILLER	SAWYER	WILLERS
CORMACK	HOBBIE	MOLLER	SEARING	WINCH
CRANDALL	HOLBROOK	MOOERS	SEWELL	WORTH

Mr. Speaker then put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ALVORD	CRANDALL	HOYT	PARKER	SEWELL
ANDREWS	CURRAN	HULME	PATTENGILL	SHEARD
ASTOR	DAY	JONES	PATTERSON	SHELDON
BAKER	DEYOE	KEEGAN	CICERO C. PECK	SKINNER

BATHE	DOUGLASS	KELLOGG	DEWITT C. PECK	STORY
BEARD	DUELL	KING	PEEK	STRACK
BERGEN	FISH	LANGNER	PIPER	SUTHERLAND
BERRY	FLOYD-JONES	LOVELAND	POOL	E. TAYLOR
BOUCK	FLYNN	LOWING	PRESCOTT	TERRY
BROOKS	FOSTER	MEKEEL	REYNOLDS	THAIN
BROWNING	HALLIDAY	J. H. MILLER	ROBERTS	THOMSON
BURNS	HAMILTON	S. V. R. MILLER	ROWLAND	WEMPLE
CHAPPELL	HAVENS	MOLLER	SAWYER	WILLERS
CHASE	I. I. HAYES	MOOERS	SEARING	WILLIS
CLARK	HEPBURN	NELSON	SEEBACHER	WINCH
CORMACK	HOBBIE			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

By unanimous consent,

Mr. Worth, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Meyenborg, Int. No. 263, entitled "An act in relation to the issue and sale of ferry tickets by the Union Ferry Company of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Worth, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Neilson, Int. 737, entitled "An act to amend an act passed January 18, 1832, entitled 'An act to revise and amend the act entitled An act to authorize the building of a toll-bridge over the Hudson river, passed April 2, 1825,' and the act amendatory thereof, passed May 2, 1829," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Worth, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Clancey, Int. No. 633, entitled "An act in relation to the Union Ferry Company of Brooklyn," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

By unanimous consent,

Mr. Worth, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Clancey, Int. No. 645, entitled "An to authorize the extending of State street, in the city of Brooklyn, to the East river and to the permanent bulk-head line," reported the same for the consideration of the House (Mr. Shanley dissenting), and said bill was committed to the committee of the whole.

By unanimous consent,

Mr. Worth, from the committee on commerce and navigation, to which was referred the Senate bill introduced by Mr. Jones, Int. No. 103, entitled "An act in relation to the franchise of the village of Athens," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and at 6 o'clock and 35 minutes, the House adjourned.

FRIDAY, APRIL 12, 1878.

The House met pursuant to adjournment.

Prayer by Rev. F. R. Morse.

The journal of yesterday was read and approved.

Mr. Floyd-Jones moved that Assembly bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, a majority of all the members present voting in favor thereof.

Leave of absence was granted to Mr. Eli Taylor.

Mr. Speaker announced, pursuant to ninth joint rule, the order of business, third reading of bills.

Mr. Alvord moved that said order of business be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Waring introduced a bill entitled "An act extending the powers of surrogates, enabling them to revoke letters testamentary and of administration, and to discharge executors, administrators, collectors, testamentary trustees or guardians, from their trusts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Duell introduced a bill entitled "An act for the protection of stockholders in incorporated companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Keegan introduced a bill entitled "An act to facilitate the collection of certain unpaid taxes in the town of Newtown, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Nelson introduced a bill entitled "An act to amend section 3, title 1 of chapter 13 of the first part of the Revised Statutes, in relation to assessment and collection of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Alvord, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Sessions, Int. No. 129, entitled "An act for the relief of taxpayers owning mortgaged real estate," reported adversely thereto, which report was agreed to.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Sutherland, Int. No. 706, entitled "An act to repeal sections 3, 4, 5, 6, 7 and 8, of chapter 392 of the Laws of 1873, entitled 'An act for the relief of the Corning library,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Allen, Int. No. 148, entitled "An act for the relief of taxpayers owning mortgaged real estate," reported in favor of the passage of the same, with amendments, and the title

amended so as to read "An act authorizing mortgage indebtedness to be deducted from the assessed value of real estate," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Fish, Int. No. 423, entitled "An act in relation to the duties of assessors and commissioners of taxes;" also the bill introduced by Mr. J. H. Miller, Int. No. 500, entitled "An act to amend section 31 of article 3 of title 2 of chapter 13 of part first of the Revised Statutes, in relation to the equalization of assessments by boards of supervisors;" also, the bill introduced by Mr. J. H. Miller, Int. No. 504, entitled "An act to amend sections 7, 8 and 9, article 2 of title 2 of chapter 13 of part first of the Revised Statutes, in relation to the manner in which assessments are to be made;" also, the bill introduced by Mr. Sewell, Int. No. 493, entitled "An act to regulate the assessment and taxation of property in the State;" also, the bill introduced by Mr. Niven, Int. No. 381, entitled "An act to provide for the review and correction of illegal, erroneous and unequal assessment;" also, the bill introduced by Mr. Chappell, Int. No. 300, entitled "An act for the assessment and taxation of all the property in the State, and for levying taxes thereon according to its true value in money," reported a substitute for said bills, entitled "An act in relation to assessment and taxation," which was read the first time, and by unanimous consent was also read the second time, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Palmer, Int. No. 781, entitled "An act to amend section 9, chapter 90 of the Laws of 1869, entitled 'An act to provide for the improvement of the Racket river, and of the hydraulic power thereon, and to check freshets therein,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Graham, Int. No. 792, entitled "An act in relation to actions of partition, and the fees of referees therein," reported in favor of the passage of the same, with an amendment, and the title amended so as to read "An act in relation to actions of partition," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Shanley, Int. No. 832, entitled "An act to amend chapter 596 of the Laws of 1874, entitled 'An act to incorporate the Manhattan Mortgage Company,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Berry, Int. No. 812, entitled "An act to amend chapter 833, Laws of 1873, entitled 'An act to regulate the fees of coroners,'" reported in favor of the passage of the same (Messrs. Sewell and Piper dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Flynn, Int. No. 154, entitled "An act to punish attempts to obtain money or value by the willful use of threats, and to declare and define the offense of blackmail," reported in favor of

the passage of the same, with amendments (Messrs. Gilbert, Kern and Piper dissenting), and the title amended so as to read "An act to amend title 6, chapter 1, part 4, section 2 of the Revised Statutes, entitled 'Of offenses punishable by imprisonment in a county jail and by fine,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Day, Int. No. 372, entitled "An act respecting the collection of taxes within the State of New York," reported in favor of the passage of the same, with amendments (Messrs. Gilbert, Kern, Abbott and Andrews dissenting), and the title amended so as to read "An act respecting the collection of taxes in the city of Buffalo," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Case, from the committee on canals, to which was referred the bill introduced by Mr. Curran, Int. No. 462, entitled "An act for the erection of an iron bridge over the Champlain canal at Cohoes, in the county of Albany," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Case, from the committee on canals, to which was referred the bill introduced by Mr. Willers, Int. No. 831, entitled "An act to amend chapter 309 of the Laws of 1877, entitled an act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1877," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Case from the committee on canals, reported a bill entitled "An act reappropriating money for the payment of sums due to contractors for new work upon, and extraordinary repairs of, the canals," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Waring, Int. No. 299, entitled "An act to provide for the construction of storm water sewers in the city of Brooklyn," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to provide for the construction of storm or surface water sewers in the city of Brooklyn," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Clancy, Int. No. 823, entitled "An act to amend an act passed April, 1862, entitled 'An act for the better protection of life and property in the city of Brooklyn,'" reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Purdy, Int. No. 786, entitled "An act to amend an act entitled 'An act in relation to storage and the keeping of combustible materials in the city of New York, the use and control of the fire alarm telegraph, the encumbrance of hydrants, and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commis-

sioners of the said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Purdy, Int. No. 790, entitled "An act to amend an act entitled 'An act to amend and reduce to one act the several acts relating to buildings in the city of New York,' passed April 20, 1871, and amended May 22, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McDonough, Int. No. 600, entitled "An act to amend section 2 of the act entitled 'An act to regulate places of public amusement in the cities and incorporated villages of this State,' passed April 17, 1862," reported the same for the consideration of the House (Mr. Skinner dissenting), and said bill was committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 143, entitled "An act to create a police pension fund for disabled and retired policemen in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Fish, and by unanimous consent, said bill was ordered printed as amended.

Mr. Prescott, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Henry, Int. No. 341, entitled "An act regulating the rate of compensation to be paid to railroad companies for the transporting of milk," reported adversely thereto (Messrs. Wheeler, Chappell and Moller dissenting).

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the negative, as follows:

AYES 5.

NOES 94.

Those who voted in the affirmative, were

ALVORD	BAKER	HAMILTON	PEEK	WEMPLE
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Those who voted in the negative, were

ALLEN	CRAWFORD	HOLBROOK	MOOERS	SHANLEY
ANDREWS	CROWLEY	HOYT	MEYENBORG	SHEARD
ASTOR	CURRAN	HULME	NEILSON	SHELDON
BATHE	DALY	HURD	NELSON	SKINNER
BEARD	DEYOE	JONES	NIVEN	STORY
BERGEN	DUELL	KEATOR	NORTH	STRACK
BERRIGAN	FISH	KEEGAN	PALMER	SUTHERLAND
BERRY	FITZGERALD	KELLOGG	PATTENGILL	THAIN
BOUCK	FLOYD-JONES	KERN	PATTERSON	THOMSON
BROWNING	FOSTER	KING	CICERO C. PECK	VALENTINE
BRUNDAGE	FRANK	LANGNER	DEWITT C. PECK	WAKELY
BURNS	GALVIN	LOWING	PRESCOTT	WARING
CASE	GILBERT	MAPES	PROPER	WHEELER
CHAPPELL	HALLIDAY	MATTISON	REYNOLDS	WILBOR
CHASE	HAVENS	MCDONOUGH	ROBERTS	WILLIAMS
CLANCY	I. I. HAYES	MEAD	ROWLAND	WILLIS
CORMACK	HENRY	J. H. MILLER	SEARING	WINCH
COSAD	HEPBURN	S. V. R. MILLER	SEEBACHER	SPEAKER
CRANDALL	HOBBIE	MOLLER	SEWELL	

Thereupon said bill was committed to the committee of the whole.

Mr. Cosad moved to take from the table the adverse report of the committee on insurance, in the words following :

"Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Cosad, Int. No. 126, entitled 'An act authorizing the taxation of the shares in life, fire and marine insurance companies,' reported adversely thereto."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Waring, Int. No. 648, entitled "An act to confirm the official acts of Ralph L. Cook as notary public of Kings county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Berry presented a report from the sub-committee of the whole.

(See Doc. No. 112.)

Mr. Berry called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows :

G. O. 291, No. 247, "An act to provide for the examination of banks and banking associations."

Senate, G. O. 407, No. 99, "An act to repeal section 830 of chapter 448 of the Laws of 1867, entitled 'An act in relation to courts, officers of justices in civil proceedings.'"

G. O. 37, No. 30, "An act to exempt the county of Wayne from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'" [With amendments.]

G. O. 225, No. 195, "An act to authorize the common council of the city of New York to change the name of the 'Boulevard' in that city."

G. O. 265, No. 229, "An act to amend an act entitled 'An act to make the office of supervisor in the county of Erie a salaried office, and to provide for the appointment and compensation of other officers of said board.'" [With amendments.]

G. O. 308, No. 263, "An act to confer additional powers upon corporations organized under chapter 438, Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing, and the several acts amendatory thereof.'"

G. O. 401, No. 357, "An act to render inoperative an act entitled 'An act to amend an act to improve the Cayuga creek road in the county of Erie,' passed March 29, 1848, passed March 29, 1849, so far as the same applies to the eastern section of said Cayuga creek road."

G. O. 46, No. 38, "An act to amend chapter 348 of the Laws of 1876, entitled 'An act to amend section 32, part 1, title 3, article 3, chapter 16 of the Revised Statutes.'"

G. O. 263, No. 227, "An act providing for determining the time at which annual town meetings shall be held in the respective counties of this State."

G. O. 333, No. 288, "An act to repeal chapter 305 of the Laws of 1871, entitled 'An act providing for the disposal of excise moneys in the county of Niagara.'"

G. O. 380, No. 337, "An act relating to the public place or square known as Washington park, in the city of New York."

G. O. 284, No. 241, "An act changing the name of the Eagle Fire Engine Company No. 1, of Butternuts."

G. O. 299, No. 254, "An act to facilitate the collection of unpaid taxes in Long Island city."

G. O. 316, No. 270, "An act in relation to the sale of personal property to be paid for in installments, in the city of New York and Brooklyn." [With amendments.]

The question being on agreeing to said report,

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Berry moved that Senate bill entitled "An act to amend chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights and other property connected therewith,'" be recommitted to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Private Secretary of the Governor appeared before the bar of the House, and presented a message in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 12, 1878. }

To the Assembly :

I return without approval Assembly bill No. 147, entitled "An act in relation to the keeping open of certain public offices in the county of Westchester."

The Revised Statutes prescribe the days and hours on which the offices of clerks and registers in all the counties of the State shall be kept open. They expressly except all days which were then declared to be holidays, and all which should thereafter be so declared. This bill is based upon the assumption that very many of the days now observed as public holidays have not been declared such by law for any other purpose than for the presenting and protesting commercial paper. I do not think that the statutes upon this subject will bear any such construction. If they will, the proper remedy is to pass a general act which will be applicable to all the clerks' offices in the State. These offices are established, not for the benefit and convenience of the men who hold them, but for the use and convenience of all people who have business to transact with them. The rule in regard to them should be the same in all the counties of the State. If it is not so now, a general act should be passed making it so. The impropriety of making a special and separate law for each county is manifest. A few counties have already obtained such laws. If the practice be not arrested, the mischief will continue until each county in the State shall have a rule of its own, differing, probably, from that of every other county.

L. ROBINSON.

Mr. Moller moved that said message and bill be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Clapp, from the committee on banks, to which was referred the Senate bill introduced by Mr. McCarthy, Int. No. 126, entitled "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings, to a uniformity

of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,' reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Graham, Int. No. 704, entitled "An act to provide for the appointment of additional officers in the State Insurance Department," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Graham, Int. No. 705, entitled "An act in relation to examinations of insurance companies and regulating the investments of said companies," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Hurd, Int. No. 687, entitled "An act to incorporate the general council of the Methodist Episcopal Ministers' National Mutual Aid Association, and to provide for the organization of subordinate chapters," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Day, Int. No. 744, entitled "An act to reduce the number of managers of the Charity Foundation of the Protestant Episcopal Church in the city of Buffalo," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Pomeroy, Int. No. 141, entitled "An act to incorporate the Auburn City Hospital," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Harris, Int. No. 105, entitled "An act to further amend chapter 126 of the Laws of 1824, entitled 'An act to incorporate the Society for the Reformation of Juvenile Delinquents in the city of New York,' as amended by chapter 241 of the Laws of 1860," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mooers, from the committee on state prisons, to which was referred the Senate bill introduced by Mr. Goodwin, Int. No. 135, entitled "An act to amend chapter 424 of the Laws of 1877, entitled 'An act in relation to the appointment of a State agent for the guidance and employment of discharged convicts,'" reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to secure better public administration in the local government of the city of New York."

Mr. Williams, from the committee on roads and bridges, to which was

referred the bill introduced by Mr. Sewell, Int. No. 814, entitled "An act to amend an act entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,' passed May 28, 1875," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Sewell, Int. No. 754, entitled "An act to provide for and to encourage the construction of sidewalks in certain road districts in the town of Sidney, Delaware county," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. St. John, Int. No. 139, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Crandall, Int. No. 343, entitled "An act to enlarge the boundaries of the village of Cazenovia by including within its limits the whole of Cazenovia lake below highwater mark," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 116 of the Laws of 1859, entitled 'An act to consolidate and amend the several acts relating to the village of Cazenovia, to alter the bounds, and to enlarge the powers of the corporation of said village,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Niven, Int. No. 775, entitled "An act to repeal chapter 449 of the Laws of 1867, entitled 'An act to incorporate the village of Douglass and the several acts amendatory thereof,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Messrs. Holbrook, Allen, Astor, Wilbor, Wemple and Hulme presented petitions against the repeal of the Code of Civil Procedure, and for the passage of the supplemental chapters over the Governor's veto; which were read and laid upon the table.

Messrs. Chase, Deyoe, Skinner, Bergen and Mead presented petitions for the repeal of the new Code and the restoration of the old Code; which were read and referred to the committee on the judiciary.

Messrs. J. H. Miller, Mattison, and Terry presented petitions for an amendment to the assessment laws; which were read and referred to the committee on ways and means.

Messrs. Mattison and J. H. Miller presented petitions for the passage of a law for the organization of mutual insurance companies; which were read and referred to the committee on insurance.

Mr. Crowley presented petitions of citizens of Buffalo against contract convict labor; which were read and referred to the committee on state prisons.

Mr. Hurd presented a petition of councils for the passage of an act to incorporate the Grand Council of Royal Templars of Temperance of the State of New York; which was read and referred to the committee on general laws.

Mr. Sutherland presented a petition of members of the Ancient Order of United Workmen for an amendment to their charter; which was read and referred to the committee on general laws.

Mr. Skinner presented a petition of citizens of Jefferson county that the bill to establish boards of charities in the several counties of the State may become a law; which was read and committed to the committee of the whole.

Mr. Cormack presented a petition of members of the St. John's Protestant Episcopal Church of Delhi for the passage of a bill relating to the temporal government of the same; which was read and referred to the committee on charitable and religious societies.

Mr. Waring presented a petition of citizens of Brooklyn relative to the improvement of Bushwick inlet; which was read and referred to the committee on affairs of cities.

Mr. Niven moved that the committee of the whole be discharged from the further consideration of Assembly bill entitled "An act to repeal chapter 449 of the Laws of 1867, entitled 'An act to incorporate the village of Douglass, and the several acts amendatory thereof,'" be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. J. H. Miller offered, for the consideration of the House, a resolution in the words following:

Resolved, That when this House adjourn to-day, it be to meet on Monday next at eight o'clock, P. M.

Mr. Fish moved to amend by striking out the word "eight," and inserting in lieu thereof the words "half-past seven."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution as amended, and it was determined in the affirmative.

Mr. Reynolds offered, for the consideration of the House, a resolution in the words following:

Resolved, That the State Engineer furnish to this House immediately a statement, showing the engineering expenses from January 1, 1876, to January 1, 1878, and from January 1, 1878, to the present time; also the amount of work done under the directions of the Engineer Department, and the percentage of engineering expenses to the amount of work done during said time; also the number, rank and compensation of the engineers at present employed on the canals of this State, and the character and estimated cost of the work, if any, in process of construction under the direction of the engineering department.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Halliday offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of the bill entitled "An act for the relief of the towns, incorporated villages and cities in this State against which bonds

are now outstanding that were issued to aid in the construction of rail-roads," and that the same be committed to the committee of the whole.

Mr. Fish moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative, as follows:

AYES 73.

NOES 24.

Those who voted in the affirmative, were

ANDREWS	CRAWFORD	HAMILTON	MEAD	SEARING
BATHE	CROWLEY	HOBBIE	J. H. MILLER	SEEBACHER
BEARD	CURRAN	HOYT	MOOERS	SEWELL
BERGEN	DALY	HULME	NELSON	SHELDON
BERRIGAN	DEYOE	HURD	NIVEN	STORY
BERRY	DOUGLASS	JONES	NORTH	STRACK
BOUCK	DUELL	KEATOR	PARKER	THAIN
BROWNING	FISH	KEEGAN	PATTENGILL	WARING
BRUNDAGE	FITZGERALD	KELLOGG	DEWITT C. PECK	WEMPLE
BURNS	FLOYD-JONES	KERN	PIPER	WILBOR
CASE	FOSTER	LANGNER	PRESCOTT	WILLIAMS
CHAPPELL	FRANK	LOVELAND	PROPER	WILLIS
CHASE	GALVIN	LOWING	ROBERTS	WINCH
CORMACK	GRADY	MATTISON	ROWLAND	WORTH
CRANDALL	HALLIDAY	MCDONOUGH		

Those who voted in the negative, were

ALVORF	COSAD	I. I. HAYES	PALMER	SHEARD
ASTOR	GILBERT	J. HAYES	PATTERSON	SKINNER
CLANCY	GRAHAM	MEKEEL	CICERO C. PECK	TERRY
CLAPP	GRIGGS	S. V. R. MILLER	REYNOLDS	THOMSON
CLARK	HAVENS	MOLLER	SHANLEY	

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 12 o'clock and 50 minutes, the House adjourned.

MONDAY, APRIL 15, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Morse.

The journal of Friday, April 12, was read and approved.

The Senate sent for concurrence the bill entitled as follows:

"An act to amend chapter 268 of the Laws of 1877, entitled 'An act in relation to the collection of taxes and the sales of land therefor in certain towns of Queens county,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Floyd-Jones, and by unanimous consent, said bill was referred to the sub-committee of the whole.

The Senate sent for concurrence a resolution in the words following:

Resolved, That a respectful message be sent to the Assembly requesting the return to the Senate of Assembly bill (No. 129), entitled "An act to amend chapter 126 of the Laws of 1871, entitled 'An act concerning the Police Life Insurance Fund, and the powers and duties of the police department of the city of New York.'"

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

The Senate sent for concurrence the bills entitled as follows :

"An act in relation to cemeteries in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act in relation to the taking of clams, oysters and shell fish within the waters of this State, and dredging for the same," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Floyd-Jones, and by unanimous consent, said bill was referred to the sub-committee of the whole.

"An act in relation to trust companies and certain other moneyed corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious Society of Friends,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend chapter 83 of the Laws of 1869, entitled 'An act to provide for improvement of Grass river, and of the water power thereon, and to check freshets therein,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to ratify and make valid a contract for filling lots on Third and Fourth avenues, between Union and Baltic streets, in the city of Brooklyn, and to authorize an assessment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act in relation to the term of office of the clerk of the board of supervisors of Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to authorize the county clerk of King county to arrange, assort and repair all judgments, decrees, orders and other papers filed or deposited in Kings county clerk's office, and to record and certify mutilated or injured writings affecting the title to real estate in said county, and providing compensation for his services in that respect," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Speaker presented the Annual Report of the New York State Agricultural Society ; which was laid upon the table and ordered printed.

(*See Doc No. 118.*)

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to legalize the proceedings of the school commissioners of the second commissioner district of the county of Onondaga, in the formation of school district No. 29, in the town of Onondaga, in said county."

"An act to extend the time for the collection of taxes in the town of Johnstown, in the county of Fulton."

"An act to authorize the board of education of union free school district No. 2, of the town of Highlands, in the county of Orange, to raise money for the purchase of a school-house and site."

"An act in regard to the union free school district No. 1, in the village of Fort Edward, and to authorize the board of education thereof to contract with the Fort Edward Collegiate Institute for the use of certain rooms in said institute for school purposes, and for the instruction of pupils therein."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Curran introduced a bill entitled "An act to regulate the pay of laborers on the canals of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Bergen introduced a bill entitled "An act granting additional powers to courts of record," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to provide for a new school-house in the town of Gravesend, Kings county, New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bergen, and by unanimous consent, said bill was ordered to a third reading.

Mr. Hepburn, on behalf of Mr. Piper, introduced a bill entitled "An act to amend chapter 783 of the Laws of 1871, entitled 'An act relating to building bridges in the village of Niagara Falls,' and the act amendatory thereof, being chapter 430 of the Laws of 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Loveland introduced a bill entitled "An act to authorize the common council of the city of Lockport to raise by tax the sum of five hundred dollars, to be expended in purchasing a hose carriage to be placed in the Second ward of said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Loveland, and by unanimous consent, said bill was ordered to a third reading.

Mr. Flynn introduced a bill entitled "An act for the relief of John McCann," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Clapp introduced a bill entitled "An act to amend section 1 of chapter 225 of the Laws of 1877, entitled 'An act to establish the boundary line between the towns of Jay and Wilmington, in the county of Essex, and to confirm the past jurisdiction of said towns respectively in relation to said line,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on civil divisions.

Mr. Roberts moved that Assembly bill No. 269, entitled "An act to incorporate the Black River Improvement Company," be replaced on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bergen moved to lay the regular order of business on the table, for the purpose of taking up general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Seebacher presented a petition of citizens of New York, that railroad cars may be compelled to run nights in the city of New York; which was read and referred to the committee on railroads.

Mr. Mapes presented a petition of citizens of Rochester against any modification of the excise laws; which was read and referred to the committee on internal affairs.

M. Peek presented a petition in favor of the repeal of the Code of Civil Procedure; which was read and referred to the committee on the judiciary.

Mr. North presented a petition of dentists of Oswego against the passage of the act to amend the act to incorporate dental societies; which was read and referred to the committee of the whole.

Mr. Prescott presented a petition of citizens of Oneida county, for the passage of an act to extend the time to pay railroad bonds; which was read and referred to the committee of the whole.

Mr. Prescott presented a petition of taxpayers of Rome, Oneida county, for the appointment of three assessors for that city; which was read and referred to the committee of the whole.

Mr. Prescott presented petitions of citizens of Oneida county for the passage of a law creating a county board of charities; which were read and referred to the committee of the whole.

Mr. Nelson called from the table a resolution, previously offered by him, in the words following:

Whereas, It is alleged that the lease of the pier and bulk-head opposite Fulton market, East river, between Beekman and Fulton streets, was procured by fraud, bribery and corruption, and the treasury of the city of New York thereby defrauded of \$100,000; therefore,

Resolved, That the committee on general laws be, and is hereby authorized to investigate as to the truth of said charge, and that they be authorized to send for persons, books and papers, and report the facts to this House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Burns, offered for the consideration of the House, the following resolution:

Resolved, That the Superintendent of Prisons be directed to furnish to this House forthwith the information called for in a resolution adopted by this Assembly, April 1, 1878, namely, the terms and conditions of each and every contract entered into with the several contractors to whom convict labor has been let in the State prisons or other reformatory institutions over which he has control.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Burns offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 382, entitled "An act for the better security of life from fire in hotels and other buildings," be referred to the first committee of the whole, not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Fish, offered for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill No. 340, entitled "An act supplemental to chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" be considered in the first committee of the whole, not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Fish offered, for the consideration of the House, a resolution in the words following :

Resolved, That hereafter, except on special orders, debate be limited to ten minutes to each speaker, unless unanimous consent be obtained to extend the time.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. I. I. Hayes offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 349, G. O. 394, entitled "An act to amend an act relating to the rates of wharfage and to regulate piers, wharves, bulk-heads and slips in the city of New York," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Galvin offered, for the consideration of the House, a resolution in the words following :

Whereas, The recent investigations into the affairs of certain savings banks, life insurance companies and other corporations, have shown a laxity of accounts and even immense frauds in their administration ; and

Whereas, It is publicly charged that a similar condition of affairs exists in the management of some of the marine insurance companies in the city of New York ;

Resolved, That the committee on insurance be directed to investigate the affairs and accounts of said companies, and report the result to this House ; and that in carrying on such investigation they be empowered to send for persons and papers.

Debate arising thereon,

Ordered. That said resolution be laid upon the table.

Mr. Strack called from the table a resolution, previously offered by him, in the words following :

Resolved, That the surrogate of the county of New York be, and he is hereby required to report to this House, within ten days, the names of all auditors, referees, special guardians, collectors and receivers appointed by him from May 1, 1876, to the date of this report. And if he has appointed any person more than once he shall so state, giving the number of times he has so appointed such person. And he is hereby required to report, within the same period, the amount of all allowances made by him to counsel, referees, receivers, auditors, special guardians, and to the counsel of any collector or receiver ; said report to state the names of the persons to whom such allowances have been made.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Worth offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from further consideration of Senate bill, G. O. 479, No. 153, entitled "An act further to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' " and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

Mr. C. C. Peck offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 151, entitled "An act in relation to the franchise and powers of the village of Athens," and the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Beard offered for the consideration of the House, a resolution, in the words following :

Resolved, That the sub-committee of the whole be discharged from the further consideration of Assembly bill No. 377, G. O. 422, entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' " and that the same be referred to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Williams offered, for the consideration of the House, a resolution in the words following :

Resolved (if the Senate concur), That this Legislature adjourn *sine die* Friday, twenty-sixth instant, at twelve o'clock noon.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Foster offered, for the consideration of the House, a resolution in the words following :

Resolved, That Senate bill No. 90, entitled "An act to furnish approved arms to the Albany Burgesses Corps," be considered in the first committee of the whole, not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Fish offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill entitled "An act to provide compensation for referees in certain cases," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Fish offered, for the consideration of the House, a preamble and resolution in the words following :

Whereas, The partition on the south side of the Assembly chamber having been removed, it makes it necessary, for the convenience of the members, to have an additional doorkeeper for the door leading into the wrapping department of the Assembly; therefore, be it

Resolved, That Charles A. Pavie be, and he is hereby appointed as assistant doorkeeper of the present Assembly at the same compensation as those appointed by the Speaker, pay to begin from date of appointment.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Terry offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be, and is hereby discharged from the further consideration of Assembly bill No. 394, entitled "An act to reappropriate certain moneys in the treasury of the State heretofore appropriated for the improvement of the Champlain canal," and that the said bill is hereby ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Grady moved to reconsider the vote by which the following resolution was passed:

"Resolved, That the surrogate of the county of New York be and he is hereby required to report to this House, within ten days, the names of all auditors, referees, special guardians, collectors and receivers appointed by him from May 1, 1876, to the date of his report; and if he has appointed any person more than once, he shall so state, giving number of times he has so appointed such person; and he is hereby required to report, within the same period, the amount of all allowances made by him to counsel, referees, receivers, auditors, special guardians, and to the counsel of any collector or receiver; said report to state the names of the persons to whom such allowances have been made."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, as follows:

AYES 72.

. NOES 6.

Those who voted in the affirmative, were

ALVORD	CORMACK	HOLBROOK	NORTH	SLITER
ANDREWS	COSAD	HOYT	NOYES	STORY
BAKER	CURRAN	HULME	PATTENGILL	STRACK
BEARD	DOUGLASS	KEEGAN	CICERO C. PECK	TERRY
BERGEN	FLOYD-JONES	KELLOGG	PEEK	THAIN
BERRIGAN	FLYNN	KERN	PURDY	THOMSON
BERRY	GALVIN	LOVELAND	ROBERTS	TOWNSLEY
BROWNING	GILBERT	MAPES	ROWLAND	VALENTINE
BRUNDAGE	GRADY	MATTISON	SAWYER	WADSWORTH
BURNS	GRAHAM	MOLLER	SEARING	WEMPLE
CHAPPELL	GRIGGS	MOOERS	SEEBACHER	WILBOR
CHASE	HALLIDAY	MEYENBORG	SHANLEY	WILLIAMS
CLANCY	HENRY	NEILSON	SHELDON	WILLIS
CLARK	HEPBURN	NIVEN	SKINNER	WORTH
CONVERSE	HOBBIE			

Those who voted in the negative, were

BOUCK	FISH	FITZGERALD	FOSTER	JONES
DEYOE				

Mr. Grady moved to amend said resolution by striking out the words "surrogate of the county of New York," and inserting in lieu thereof the words "surrogates of all the counties of the State."

Mr. Thain moved to refer the whole matter to the committee on the judiciary.

Mr. Moller moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question on the motion of Mr. Thain, and it was determined in the negative.

Mr. Speaker then put the question on the motion of Mr. Grady, and it was determined in the negative.

Mr. Speaker then put the question on the adoption of the resolution, and it was determined in the affirmative, as follows :

AYES 58.

NOES 19.

Those who voted in the affirmative, were

ANDREWS	DEYOE	HOYT	NELSON	SKINNER
BEARD	FISH	HULME	NORTH	STRACK
BERRY	FITZGERALD	JONES	NOYES	TERRY
BRUNDAGE	FLOYD-JONES	KEATOR	CICERO C. PECK	TOWNSLEY
CHAPPELL	FLYNN	KELLOGG	PEEK	VALENTINE
CHASE	GILBERT	KERN	PRESCOTT	WADSWORTH
CLAPP	GRAHAM	LOVELAND	REYNOLDS	WEMPLE
CLARK	GRIGGS	MAPES	ROBERTS	WILBOR
CONVERSE	HALLIDAY	MATTISON	ROWLAND	WILLIAMS
CORMACK	I. I. HAYES	S. V. R. MILLER	SEWELL	WILLIS
CURRAN	HEPBURN	MOLLER	SHELDON	WORTH
DALY	HOBBIE	MOOERS		

Those who voted in the negative, were

ALVORD	BROWNING	GALVIN	NIVEN	SLITER
BERGEN	BURNS	GRADY	PATTENGILL	THAIN
BERRIGAN	CLANCY	HENRY	SEEBACHER	THOMSON
BOUCK	COSAD	MEYENBORG	SHANLEY	

Mr. Moller moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Grady offered for the consideration of the House, a resolution in the words following :

Resolved, That the district attorney of the county of New York report to this House, within ten days, the list of indictments on file in his office now untried, together with the reasons why such indictments have not been tried.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Clancy offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 463, entitled "An act in relation to the Union Ferry Company of Brooklyn," and that said bill be ordered to a third reading.

Debate arising thereon,

Ordered, That said resolution be laid upon the table.

Mr. Berry called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows :

G. O. 414, No. 370, "An act to alter the map or plan of Long Island City, in respect to certain streets in the Third and Fourth wards thereof."

G. O. 83, No. 71, "An act in relation to solicitors of passengers for

steamboats, ships or vessels, in the cities of New York and Brooklyn." [With an amendment.]

G. O. 456, No. 409, "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies.'" "

G. O. 275, No. 235, "An act to secure the owners or keepers of breeding stallions and jackasses for the service of same." [With amendments.]

Senate, G. O. 406, No. 106, "An act to authorize corporations formed for manufacturing, mining, mechanical or chemical purposes, to mortgage their property and franchises."

G. O. 235, No. 205, "An act to provide for the revision and codification of the poor laws of this State." [With an amendment.]

G. O. 446, No. 399, "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester, as amended by chapter 245 of the Laws of 1875, and further amended by chapter 227 of the Laws of 1877.'" "

G. O. 431, No. 386, "An act for the protection of fish in Esopus creek and its tributaries, in the county of Ulster."

G. O. 335, No. 290, "An act to repeal chapter 577 of the Laws of 1864, and all acts amendatory thereof." [With an amendment.]

G. O. 424, No. 379, "An act in relation to the election of officers in certain school districts."

G. O. 464, No. 414, "An act to amend chapter 523, Laws of 1870, entitled 'An act to incorporate the village of New Berlin, in Chenango county, and to repeal the present charter.'" "

G. O. 433, No. 388, "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'" [With an amendment.]

G. O. 419, No. 374, "An act to prevent accidents on railroads operated by steam power in the State of New York."

G. O. 463, No. 413, "An act to amend chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and police constables in said village, and defining their jurisdiction, powers and duties.'" "

G. O. 384, No. 341, "An act to repeal chapter 418 of the Laws of 1870, entitled 'An act to provide for the payment of the board of vagrants committed to the almshouse of the city and town of Newburgh.'" "

The question being on agreeing to said report,

Mr. Speaker put the question whether the House would agree to said report, excepting so much thereof as relates to Assembly bill, No. 205, and that said bill be committed to the committee of the whole, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said report, as amended, and it was determined in the affirmative.

Said bills were then ordered engrossed for a third reading.

Mr. Speaker then put the question whether the House would agree to commit Assembly bill No. 205, to the committee of the whole, and it was determined in the affirmative, and said bill was committed to the committee of the whole.

Mr. Worth moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 9 o'clock and 55 minutes, the House adjourned.

TUESDAY, APRIL 16, 1878.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Alvord in the chair.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to authorize the trustee of School district No. 2 of the town of Hinsdale to lease the upper story of the district school-house to the town of Hinsdale for a town hall and other purposes."

"An act relating to certain indebtedness of the city of New York, and to provide for the payment and cancellation of the same."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bills entitled as follows :

"An act to amend chapter 457 of the Laws of 1865, entitled 'An act to incorporate the city of Newburgh.'"

"An act to extend the time for the completion of a railroad authorized to be constructed by 'An act to authorize the construction of a railroad from at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East Greenbush, in the county of Rensselaer,' passed May 14, 1875."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows :

"An act to extend the time for the collection of taxes in the city of Oswego."

Ordered, That the Clerk deliver said bill to the Governor.

By unanimous consent,

Mr. Moller introduced a bill entitled "An act to amend the title of chapter 131 of the Laws of 1878, entitled 'An act to annex the village of West Mount Vernon, in the county of Westchester, to the village of Mount Vernon in said county; to confirm the tax sales heretofore held in the said village of West Mount Vernon, and to provide for the division of the said village of Mount Vernon into wards after the annexation of the said village of Mount Vernon,' " which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Moller, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HEPBURN	MEYENBORG	SLITER
ALLEN	DALY	HOBBIE	NELSON	STRACK
ALVORD	DAY	HOYT	NIVEN	SUTHERLAND
ANDREWS	DEYOE	HULME	NORTH	E. TAYLOR
ASTOR	DUELL	JONES	NOYES	TERRY
BAKER	FISH	KEATOR	PALMER	THAIN
BEARD	FLOYD-JONES	KEEGAN	PARKER	THOMSON

BERGEN	FLYNN	KELLOGG	PATTENGILL	TOWNSLEY
BERRY	FOSTER	KERN	CICERO C. PECK	VALENTINE
BRUNDAGE	GALVIN	LANGNER	DEWITT C. PECK	WADSWORTH
CASE	GILBERT	LOVELAND	PRESCOTT	WARING
CHAPPELL	GRIGGS	MATTISON	ROBERTS	WEMPLE
CHASE	HALLIDAY	MEAD	SAWYER	WHEELER
CLAPP	HAMILTON	MEKEEL	SEARING	WILBOR
CLARK	HAVENS	J. H. MILLER	SEWELL	WILLERS
CORMACK	I. I. HAYES	MOLLER	SHELDON	WILLIS
CRANDALL	HENRY	MOOERS	SKINNER	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Halliday introduced a bill entitled "An act to release to Alice Casey the right, title and interest of the people of the State of New York, in and to certain real estate in the town of Dryden, county of Tompkins," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Indefinite leave of absence was granted to Mr. Moller.

By unanimous consent,

Mr. Curran introduced a bill entitled "An act to authorize the Superintendent of Public Works to extend the State Culvert from Schenectady street, at its intersection with Washington street, to the United States arsenal wall, in the village of West Troy, in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A communication was received and read, from the Governor, in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *April 12, 1878.* }

To the Assembly :

In accordance with a joint resolution of the Senate and Assembly, I return for amendment Assembly bill No. 110, entitled "An act in relation to coroners' fees and post-mortem examinations in the county of Monroe."
L. ROBINSON.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOLEROOK	NELSON	STORY
ALVORD	DALY	HOYT	NIVEN	SUTHERLAND
ASTOR	DAY	HULME	NORTH	E. TAYLOR
BAKER	DUELL	HURD	PALMER	TERRY
BEARD	FISH	JONES	PARKER	THAIN
BERGEN	FLOYD-JONES	KEEGAN	PATTENGILL	THOMSON
BERRY	FOSTER	KELLOGG	CICERO C. PECK	TOWNSLEY
BOUCK	GALVIN	KERN	DEWITT C. PECK	VALENTINE
BROWNING	GILBERT	LANGNER	REYNOLDS	WADSWORTH
BRUNDAGE	GRADY	LOVELAND	ROBERTS	WARING
CASE	GRAHAM	MATTISON	SAWYER	WEMPLE
CHAPPELL	GRIGGS	MEAD	SEARING	WILBOR
CHASE	HALLIDAY	MEKEEL	SEEBACHER	WILLERS
CLANCY	HAMILTON	S. V. R. MILLER	SEWELL	WILLIAMS
CLAPP	I. I. HAYES	MOLLER	SHELDON	WILLIS
CONVERSE	HENRY	MOOERS	SKINNER	WINCH
CORMACK	HOBBIIE	MEYENBORG		

On motion of Mr. Chappell, and by unanimous consent, said bill was amended as follows:

Section 1, line 1, strike out the word "annual," and insert in lieu thereof the word "general."

Same section, line 3, after the word "eighty," add the words "and at the general election, every third year thereafter."

After the word "years," in the line following, add the words "commencing on the first day of January after such election."

Section 3, line 2, strike out the words "and serve for."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor hereof, and three-fifths being present, as follows:

AYES 90.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	NIVEN	SKINNER
ALLEN	CURRAN	HOLBROOK	NORTH	SLITER
ALVORD	DALY	HOYT	NOYES	STRACK
ANDREWS	DAY	HURD	PALMER	SUTHERLAND
ASTOR	DEYOE	JONES	PARKER	E. TAYLOR
BAKER	DUELL	KEEGAN	PATTENGILL	TERRY
BATHE	FISH	KELLOGG	CICERO C. PECK	THOMSON
BEARD	FLOYD-JONES	KERN	DEWITT C. PECK	TOWNSLEY
BERGEN	FOSTER	LANGNER	PEEK	VALENTINE
BERRY	GALVIN	LOVELAND	REYNOLDS	WADSWORTH
BOUCK	GILBERT	MAPES	ROBERTS	WARING
BROWNING	GRADY	MATTISON	ROWLAND	WEMPLE
BRUNDAGE	GRIGGS	MEAD	SAWYER	WHEELER
CHAPPELL	HALLIDAY	S. V. R. MILLER	SEARING	WILBOR
CHASE	HAMILTON	MOLLER	SEEBACHER	WILLERS
CLAPP	HAVENS	MOOERS	SEWELL	WILLIAMS
CLARK	I. I. HAYES	MEYENBORG	SHEARD	WILLIS
CONVERSE	HENRY	NELSON	SHELDON	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned the Assembly bill entitled "An act to amend an act entitled 'An act authorizing the trustees of the village of Ballston Spa to issue bonds, to be known as "extended water bonds," to pay a portion of the water bonds now outstanding of said village, maturing in the year 1877 and thereafter,' being chapter 100 of Laws of 1877," with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 1, strike out the words "the act," and insert in lieu thereof the words "chapter 100 of the Laws of 1877."

Same section, strike out all after the word "thereafter," in line 6, down to and including the word "seven," in line 7.

Same section, line 8, after the word "amended," insert the words "so as."

Amend the title by inserting, after the words "to amend," the words "chapter 100 of the Laws of 1877," and striking out the following concluding words, "being chapter 100 of the Laws of 1877."

The amendments having been read,

Mr. Speaker put the question whether the house would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HEPBURN	NIVEN	SKINNER
ALLEN	CROWLEY	HOBBIE	NORTH	SLITER
ALVORD	CURRAN	HOLBROOK	NOYES	STORY
ASTOR	DALY	HOYT	PALMER	STRACK
BAKER	DAY	HULME	PARKER	SUTHERLAND
BATHE	FISH	JONES	PATTENGILL	E. TAYLOR
BEARD	FLOYD-JONES	KEEGAN	CICERO C. PECK	TERRY
BERGEN	FOSTER	KERN	DEWITT C. PECK	THOMSON
BERRY	GALVIN	LANGNER	PRESCOTT	TOWNSLEY
BOUCK	GILBERT	LOVELAND	REYNOLDS	VALENTINE
BROWNING	GRADY	MAPES	ROBERTS	WADSWORTH
BRUNDAGE	GRIGGS	MATTISON	SAWYER	WARING
BURNS	HALLIDAY	MEKEEL	SEARING	WEMPLE
CASE	HAMILTON	S. V. R. MILLER	SEEBACHER	WHEELER
CHAPPELL	HAVENS	MOLLER	SEWELL	WILLIAMS
CHASE	I. I. HAYES	MOOERS	SHEARD	WILLIS
CLANCY	HENRY	NELSON	SHELDON	WINCH
CLAPP				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to create a board of park commissioners, and to provide for the care, government, protection and improvement of the public park known as Ross park, in the city of Binghamton," with a message that they had concurred in the passage of the same, with the following amendments:

Section 12, strike out all after the word "park," in line 5, down to and including the word "thereof," in line 7.

Same section, lines 7 and 8, strike out the words "by fine or imprisonment, or both."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	I. I. HAYES	NIVEN	SKINNER
ALLEN	CLARK	HOBBIE	NORTH	SLITER
ALVORD	CORMACK	HOYT	NOYES	STORY
ANDREWS	CROWLEY	HURD	PALMER	STRACK
ASTOR	CURRAN	JONES	PARKER	SUTHERLAND
BAKER	DALY	KEEGAN	PATTENGILL	E. TAYLOR
BATHE	DAY	KELLOGG	DEWITT C. PECK	TERRY
BEARD	DUELL	KERN	PRESCOTT	THOMSON
BERGEN	FISH	LANGNER	REYNOLDS	VALENTINE
BERRY	FLOYD-JONES	LOVELAND	ROBERTS	WADSWORTH
BOUCK	FLYNN	MEAD	ROWLAND	WARING
BROWNING	FOSTER	MEKEEL	SAWYER	WEMPLE
BRUNDAGE	GILBERT	S. V. R. MILLER	SEARING	WILLERS
BURNS	GRADY	MOLLER	SHANLEY	WILLIAMS
CASE	HALLIDAY	MOOERS	SHEARD	WILLIS
CHAPPELL	HAMILTON	NELSON	SHELDON	WINCH
CHASE	HAVENS			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate sent for concurrence the bill entitled as follows:

"An act to repeal a part of an act entitled 'An act to repeal certain acts and parts of acts,'" which was read the first time, and by unanimous consent was also read the second time.

Mr. Strack moved to substitute said bill for Assembly bill No. 448, on the same subject, now on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Sliter, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Senate bill entitled "An act to amend chapter 325 of the Laws of 1874, entitled 'An act to incorporate the village of Bath-on-the-Hudson, Rensselaer county, New York,'" and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	I. I. HAYES	NEILSON	SHANLEY
ALLEN	CROWLEY	HEPBURN	NELSON	SHELDON
ALVORD	CURRAN	HOBBIE	NIVEN	SKINNER
ASTOR	DALY	HOLAHAN	NORTH	SLITER
BAKER	DAY	HOLBROOK	NOYES	STORY
BATHE	DOUGLASS	HULME	PALMER	E. TAYLOR
BEARD	DUELL	HURD	PARKER	TERRY
BERGEN	FISH	JONES	PATTENGILL	THAIN
BERRY	FITZGERALD	KEEGAN	CICERO C. PECK	TOWNSLEY
BROWNING	FLOYD-JONES	KELLOGG	DEWITT C. PECK	VALENTINE
BRUNDAGE	FOSTER	LANGNER	PRESCOTT	WADSWORTH
BURNS	GALVIN	LOVELAND	REYNOLDS	WARING
CASE	GRAHAM	MAPES	ROBERTS	WILLERS
CHAPPELL	GRIGGS	MATTISON	ROWLAND	WILLIAMS
CHASE	HALLIDAY	S. V. R. MILLER	SAWYER	WILLIS
CLANCY	HAMILTON	MOLLER	SEARING	WINCH
CLAPP	HAVENS	MOOERS	SEWELL	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

On motion of Mr. Graham, and by unanimous consent, the committee of the whole was discharged from the further consideration of Assembly bill entitled "An act to extend the term of the corporate existence of the Middletown and Wurtzboro Turnpike Company," and said bill was ordered to a third reading.

Mr. Speaker announced the special order of the day, being Assembly bill entitled "An act in relation to the canals."

The House then resolved itself into a committee of the whole on the above named bill, and after some time spent therein, Mr. Speaker resumed the chair, when

The Private Secretary of the Governor appeared before the bar of the House, and presented a communication from His Excellency the Governor, in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 15, 1878.

To the Assembly :

I return, without approval, Assembly bill No. 153, entitled "An act to amend section 21, article 3, title 3, chapter 6, part 1 of the Revised Statutes."

This bill seeks to amend the present statute regulating the appointment of inspectors of election by adding a provision that the minority inspector shall be selected from the two persons in such election district having the highest number of votes for the office "belonging to the political party opposed on national and state political issues to the political party to which one or both of the two persons so elected belong." It further provides that in each town one of the poll-clerks shall be selected from the political party to which the two inspectors who shall be elected shall belong, and the other poll-clerk shall be selected from the political party from which the inspector who shall be appointed as aforesaid shall belong.

This act seems to me far less likely to secure an impartial conducting of our elections than the present statute. The provisions of the Revised Statutes upon this subject have continued in force without amendment for very many years. It is contrary to the spirit of our general law to take account in the statutes of political situations which are subject to continual change, and are not capable of any designation sufficiently stable for statutory recognition. Frequently, within the period that the present law has been in force, there have been three, and even four, well-defined political parties differing upon national and state politics. The theory of the existing statute is that, in every locality, the responsible minority shall be represented upon the board of election inspectors. In one section of the State this minority may belong to one political faith, elsewhere to any one of the other three. The present act, however, contains an arbitrary mandate compelling the selection of inspectors from two political parties only, thus casting upon the inspectors elected the burden of deciding which is the political party opposed to them.

Again, it is conceded that the most efficient and desirable inspectors of election are those whose partisan predilections are not sufficient to ally them strongly to any political organization. Their official action is apt to be more strictly impartial than that of those who are zealous partisans. Yet the present act debars this entire class from acting as inspectors of election, and requires that all inspectors shall be partisans.

Of the provision in the bill regulating the appointment of poll-clerks, it may be said that while it is open to the same objections above stated, it is out of place in that the title of the Revised Statutes amended by this bill is not the one regulating the appointment of poll-clerks, and the effect of the bill is to interject into one title of the Revised Statutes a provision which belongs to another. Moreover, the appointment of clerks is so entirely matter for the consideration of the board of inspectors, that if it be desirable that one clerk be conceded to the minority, the method of his appointment should be left to the minority inspector.

L. ROBINSON.

Mr. Fish moved that said message, with the accompanying bill, be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sheldon again resumed the chair, and reported in favor of the passage of the bill entitled "An act in relation to the canals," with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Hepburn moved to discharge the committee of the whole from the further consideration of Assembly bill entitled "An act to confirm and

protect the incorporation of the village of Hermon," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Terry, from the committee on privileges and elections, presented the following report :

To the Assembly :

The committee on privileges and elections beg leave respectfully to report that they have held sessions both in this city and in New York, and that they have examined numerous witnesses, including Augustin Snow, the Senate reporter of the New York Times, whom, it appears from the evidence, was the writer of the dispatch under investigation ; and, from the testimony of the several witnesses, it cannot be doubted that most of the statement, in spirit and meaning, so far as it impugned Mr. Fish's official action, was untrue in fact. Mr. Fish's course was in no way influenced by the Smyth trial, or bargain, or agreement, or understanding as to how any one should or would vote on that trial, or by a desire to influence any one as to his vote on that trial. He merely performed his duty as chairman in reporting the elective comptroller's bill, having been directed so to do by a vote of the committee. The meeting at which this was ordered was not specially called, but was a meeting adjourned according to the regular practice of the committee on cities. The bill was brought up at that meeting by Mr. Daly, known as an opponent of Tammany, and its favorable report was ordered by the unanimous vote of all the members of the committee present. As Messrs. Brooks and Holahan were not present at the meeting of the committee, before reporting it, Mr. Fish sent the clerk of the committee to inform them of the action taken. They at once applied to Mr. Skinner, a member of the committee on cities, to join with them in requesting a recommittal of the bill, which was consented to by Mr. Fish on condition that the bill should retain its place on general orders. The bill was subsequently again reported by Mr. Fish, and was not delayed a moment by the action taken in recommitting it.

It was admitted by Mr. Snow's counsel that the statement that information of the action in reporting the bill was given to the Tammany Senators, and that they thereupon agreed to change their intended course, was incorrect. The Senators whose action is impugned voluntarily appeared before the committee and under oath denied that their action was influenced by any bargain, or that they at any time wavered as to the course they intended to pursue, or that they had any knowledge of the report of the elective comptroller's bill, or that their action was in any way influenced by that bill, its report or recommittal. There is no pretense that Mr. Fish in any way attempted personally to influence them.

As to other Senators, the only evidence offered of alleged attempts to influence them was confined to conversations with two of them by persons other than Mr. Fish, and both of these Senators voted against Mr. Smyth.

The sole statements of the letter which are sustained by any evidence, apart from the report and committal of the comptroller's bill as already stated, are that there were rumors of a bargain ; that two of the so-called Tammany Senators stated to a New York Assemblyman, Mr. Baker, the night before the vote was taken, that they intended to vote against

Smyth, and that they afterward voted for him. The further fact that Mr. Fish congratulated Senator Pomeroy on his speech is not denied.

Mr. Snow, while substantially admitting that such was, in the evidence, the real state of the facts, reiterated his belief in the existence of a bargain, though not that Mr. Fish was a party to or acquainted with it. He also expressed the opinion that no Tammany Senator could, if influenced by the evidence alone, have voted to acquit Mr. Smyth. He claimed, and his defense rested principally upon this ground, that he acted in good faith in making the statements he did. It is difficult for us to perceive how this is possible. He asserted in his letter as facts various things of which he admits that there is not only no evidence, but of which he says there was not even a rumor. Such are his statements—that information of the report of the elective comptroller's bill was given to the Tammany Senators, and that they at once gave assurances that they would vote as desired in the Smyth trial, and that in consequence thereof the comptroller's bill was recommitted. Moreover, the slightest inquiries as to the facts attending the report and the recommitment would have shown him that these statements could not be correct. The utmost that any one could be justified in stating was, that the occurrences unexplained left room for suspicion. It surely did not justify the grave charge deliberately made, not only against Mr. Fish, but against members of a co-ordinate branch of the Legislature. In saying this we do not overlook the practice, more or less necessary on the part of legislative correspondents, of incorporating in their letters rumors, the foundation of which they have not carefully examined; nor the other practical characteristic of many besides writers of the press, of assuming that public men who differ from them are influenced by improper motives. But this characteristic of our time does not justify the practice.

Mr. Mills, the reporter of the New York Daily Times in the Assembly, is in no way connected with the matter.

The resolution under which we act substantially prescribes the course we should take if we arrive at the conclusion upon the facts which we have reached. If Mr. Snow had frankly acknowledged his error we might have ventured to request a modification in this respect. As it is, we advise the adoption of the following resolution:

Resolved, That the evidence taken before this committee, together with this report, be transmitted to the Senate for such action as they may deem proper.

GEO. L. TERRY,
C. D. PRESCOTT,
JAMES G. GRAHAM,
JOSEPH P. STRACK,
L. B. KERN.

Dated April 12, 1878.

On motion of Mr. Grady, and by unanimous consent, said report was laid upon the table.

Mr. Reynolds offered, for the consideration of the House, a resolution in the words following:

Resolved, That the Auditor of the Canal Department be requested to report to this House immediately, the reason, if any, why the Champlain canal has not been opened for navigation at as early a day as the Erie canal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Berry called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 438, No. 392, "An act to amend chapter 62 of the Laws of 1877, entitled 'An act to amend chapter 341 of the Laws of 1872, entitled An act in reference to the Young Men's Association for mutual improvement in the city of Albany.'" [With an amendment.]

G. O. 409, No. 364, "An act to provide for the better protection of property and life in the State of New York, from the rapid spread of fires through steam elevator passages or flues."

G. O. 444, No. 397, "An act to provide for the collection of the unpaid assessments for the opening, regulating and grading of Franklin avenue, in the towns of Flatbush and New Utrecht."

G. O. 404, No. 360, "An act to amend chapter 322 of the Laws of 1869, entitled 'An act to encourage the planting of shade trees along the sides of public highways.'"

Senate, G. O. 287, No. 102, "An act to release the interest of the State in real estate, of which Frederick Tornquest, otherwise known as Frederick John Tornquest, late of the city, county and State of New York, died seized, to Annie Tornquest, his wife."

G. O. 398, No. 354, "An act to authorize the mutual fire insurance companies to unite a cash capital, and to provide for its participation in its business." [With amendments.]

G. O. 262, No. 226, "An act to amend section 18 of article 3 of title 3 of chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than militia and town officers.'" [Reported adversely.]

G. O. 429, No. 384, "An act to release the interest of the people of the State of New York in and to certain real estate in the city of New York, in the State of New York, of which Peter W. Duncan or Eliza Kelly, or both said persons died seized and possessed, to the persons who, according to the statutes of this State, would answer the description of heirs-at-law of such deceased persons, whether they were citizens or aliens at the time of the death of said Peter W. Duncan or Eliza Kelly."

Senate, G. O. 488, No. 76, "An act to amend chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights and other property connected therewith.' [With amendments.]

G. O. 399, No. 355, "An act to authorize the trustees of the village of Valatie to borrow money to be expended in the purchase of a suitable building and lot for the purpose of a public hall for the use of said village."

Senate, G. O. 392, No. 207, "An act transferring a portion of the Chemung canal to the city of Elmira for street purposes."

Senate, G. O. 386, No. 110, "An act relative to the collection of taxes in the county of Sullivan."

G. O. 373, No. 330, "An act to facilitate the discharge of debtors imprisoned by virtue of executions in civil cases."

G. O. 402, No. 358, "An act to amend chapter 403 of the Laws of 1868, entitled 'An act to establish and maintain a free bridge between Sag Harbor and North Haven, in the town of Southampton, Suffolk county, and to make such bridge a county charge.'"

G. O. 376, No. 333, "An act to amend section 37 of title 1 of chapter 5, part 3 of the Revised Statutes."

Senate, G. O. 466, No. 136, "An act to amend chapter 224 of the Laws of 1816, entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Madison, in the county of Madison.'"

G. O. 448, No. 401, "An act accepting the sovereignty and jurisdiction over a portion of the State of Vermont, ceded to the State of New York in the year 1876."

G. O. 286, No. 243, "An act to release certain lands which have escheated to the State to Louisa Hanneder, widow of Joseph Hanneder, late of the city of Albany, New York."

G. O. 449, No. 402, "An act to release and convey the interest of the people of the State of New York of, in and to certain real estate situated in the town of Grand Island, county of Erie, State of New York, to Leopold Mullenhoff."

G. O. 430, No. 385, "An act to release the interest of the people of the State of New York in certain lands to Catharine Weber, formerly Rusch, and to authorize her to hold and convey the same."

Senate, G. O. 428, No. 155, "An act to release to Evan C. Roberts the right, title and interest of the people of the State of New York in and to the real estate situate in the city of Utica, county of Oneida, of which Mary E. Roberts died seized."

The question being on agreeing to said report,

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills were ordered to a third reading; and as to the bill reported adversely, said report was also agreed to.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the trustees of the Grosvenor Library, in the city of Buffalo, to sell certain real estate, and to perfect the title to the same; and to amend the law respecting the maintenance of said library."

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the 1st day of October, 1878, and to provide for an anticipated deficiency in former appropriations."

"An act to repeal chapter 449 of the Laws of 1867, entitled 'An act to incorporate the village of Douglass,' and the several acts amendatory thereof."

"An act to provide for the examination of banks and banking associations."

"An act to exempt the county of Wayne from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

"An act to authorize the common council of the city of New York to change the name of the 'Boulevard' in that city."

"An act to amend an act entitled 'An act to make the office of supervisor in the county of Erie a salaried office, and to provide for the appointment and compensation of other officers of said board,' passed May 13, 1876."

"An act to confer additional powers upon corporations organized under chapter 438, Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing,' and the several acts amendatory thereof."

"An act to render inoperative an act entitled 'An act to amend an act to improve the Cayuga creek road in the county of Erie,' passed March 29, 1848, passed March 29, 1849, so far as the same applies to the eastern section of said Cayuga creek road."

"An act to amend chapter 348 of the Laws of 1876, entitled 'An act to amend section 32, part 1, title 1, article 3, chapter 16 of the Revised Statutes.'"

"An act providing for determining the time at which annual town meetings shall be held in the respective counties of this State."

"An act to repeal chapter 305 of the Laws of 1871, entitled 'An act providing for the disposal of excise moneys in the county of Niagara.'"

"An act relating to the public place or square known as Washington park, in the city of New York."

"An act changing the name of the Eagle Fire Engine and Hose Company No. 1 of Butternuts."

"An act to facilitate the collection of unpaid taxes in Long Island city."

"An act in relation to the sales of personal property, to be paid for in installments, in the cities of New York and Brooklyn."

Mr. Neilson offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 462, G. O. 527, entitled "An act to amend an act in relation to the building of a bridge over the Hudson river, in Saratoga county," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Converse offered, for the consideration of the House, a resolution in the words following:

Resolved, That the sub-committee of the whole be discharged from the further consideration of Senate bill No. 112, entitled "An act to amend chapter 170 of the Laws of 1866, entitled 'An act to incorporate the village of Montezuma,'" and that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CONVERSE	HAVENS	S. V. R. MILLER	SHEARD
ALVORD	COSAD	HEPBURN	MEYENBORG	SKINNER
ANDREWS	CROWLEY	HOBBIE	NIVEN	STORY
BAKER	CURRAN	HOLBROOK	NORTH	E. TAYLOR
BATHE	DALY	HOYT	NOYES	TERRY
BEARD	DAY	HURD	PALMER	THOMSON
BERGEN	DEYOE	JONES	PARKER	TOWNSLEY
BERRIGAN	DUELL	KEEGAN	PATTENGILL	VALENTINE
BERRY	FISH	KELLOGG	CICERO C. PECK	WADSWORTH
BOUCK	FLOYD-JONES	KERN	DEWITT C. PECK	WARING
BROWNING	FLYNN	LANGNER	PERK	WHEELER
BRUNDAGE	FOSTER	LOVELAND	PRESCOTT	WILBOR
CASE	FRANK	MATTISON	ROBERTS	WILLERS
CHAPPELL	GALVIN	MCDONOUGH	ROWLAND	WILLIAMS
CHASE	GRAHAM	MEAD	SAWYER	WILLIS
CLARK	HALLIDAY	MEKEEL	SEWELL	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Foster introduced a bill entitled "An act limiting the powers of certain officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Leave of absence was granted to Mr. Hulme.

The Senate returned the bill entitled "An act for the protection of dairymen and dealers in milk, and to prevent deception in the sale of milk," with a message that they had reconsidered the vote upon the final passage of said bill, and had amended the same as follows:

Section 1, line 3, engrossed bill, strike out the words "stamp or."

Same line, strike out the word "two," and insert the word "one."

Line 7, strike out the words "or stamped."

Section 2, line 2, after the word "milk," insert the words "in any county in which the same is produced."

Line 3, strike out the word "two," and insert the word "one."

Line 6, strike out the words "or stamped."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CLARK	HALLIDAY	S. V. R. MILLER	SHEARD
ALVORD	CONVERSE	HAMILTON	MOOERS	SHELDON
ANDREWS	CRAWFORD	I. I. HAYES	MEYENBORG	SKINNER
ASTOR	CURRAN	HENRY	NIVEN	STORY
BAKER	DALY	HEPBURN	NORTH	E. TAYLOR
BATHE	DAY	HOBBIE	PALMER	TERRY
BEARD	DEYOE	HOLBROOK	PATTENGILL	THAIN
BERGEN	DUELL	HOYT	CICERO C. PECK	THOMSON
BERRIGAN	FISH	JONES	DEWITT C. PECK	TOWNSLEY
BERRY	FITZGERALD	KEEGAN	PEEK	WADSWORTH
BOUCK	FLOYD-JONES	KELLOGG	PRESCOTT	WARING
BROWNING	FLYNN	KERN	ROBERTS	WILBOR
BRUNDAGE	FOSTER	LANGNER	ROWLAND	WILLERS
CASE	GALVIN	LOVELAND	SAWYER	WILLIAMS
CHAPPELL	GILBERT	MCDONOUGH	SEEBACHER	WILLIS
CHASE	GRAHAM	MEAD	SEWELL	WINCH
CLAPP	GRIGGS	MEKEEL		

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 75.

NOES 2.

Those who voted in the affirmative, were

ALLEN	CLARK	HALLIDAY	MOOERS	STORY
ALVORD	CONVERSE	HAMILTON	MEYENBORG	SUTHERLAND
ANDREWS	COSAD	HAVENS	NIVEN	E. TAYLOR
BAKER	CRANDALL	I. I. HAYES	NORTH	TERRY
BATHE	CURRAN	HOBBIE	NOYES	THAIN
BERGEN	DALY	HOLBROOK	PALMER	THOMSON
BERRY	DAY	HOYT	PARKER	TOWNSLEY
BOUCK	DEYOE	HURD	DEWITT C. PECK	VALENTINE
BROWNING	DUELL	JONES	PEEK	WADSWORTH

BRUNDAGE	FITZGERALD	KEEGAN	POOL	WAKELY
CASE	FLOYD-JONES	KERN	PRESCOTT	WARING
CHAPPELL	FLYNN	LANGNER	ROBERTS	WILBOR
CHASE	GALVIN	LOVELAND	SAWYER	WILLERS
CLANCY	GILBERT	MEKEEL	SHEARD	WILLIS
CLAPP	GRAHAM	S. V. R. MILLER	SKINNER	WINCH

Those who voted in the negative, were

FISH	WILLIAMS
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

Mr. I. I. Hayes presented a memorial from a committee of physicians appointed by the Neurological Society of New York, in relation to the abuses of insane asylums; which was read and referred to the committee on public health.

Mr. Speaker announced, pursuant to the ninth joint rule, order of business, third reading of bills.

The bill entitled "An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83. NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HEPBURN	PALMER	SLITER
ALLEN	CRAWFORD	HOLBROOK	PARKER	STORY
ALVORD	CROWLEY	HOYT	PATTENGILL	STRACK
ANDREWS	CURRAN	HURD	DEWITT C. PECK	SUTHERLAND
BAKER	DALY	JONES	PEEK	E. TAYLOR
BATHE	DEYOE	KEEGAN	POOL	TERRY
BEARD	DUELL	KELLOGG	PRESCOTT	THAIN
BERGEN	FISH	KERN	REYNOLDS	THOMSON
BERRY	FITZGERALD	LANGNER	ROBERTS	TOWNSLEY
BROWNING	FLOYD-JONES	LOVELAND	ROWLAND	VALENTINE
BRUNDAGE	FLYNN	MCDONOUGH	SAWYER	WADSWORTH
BURNS	FOSTER	MEKEEL	SEARING	WARING
CASE	GALVIN	MOOERS	SEEBACHER	WILBOR
CHAPPELL	GRIGGS	NELSON	SHEARD	WILLERS
CHASE	HALLIDAY	NIVEN	SHELDON	WILLIS
CLARK	HAMILTON	NORTH	SKINNER	WINCH
CORMACK	I. I. HAYES	NOYES		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the board of police surgeons and the members thereof, of the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80. NOES 3.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HALLIDAY	NIVEN	SHELDON
ALLEN	CROWLEY	HAMILTON	NORTH	SKINNER
ALVORD	CURRAN	I. I. HAYES	NOYES	SLITER

ANDREWS	DALY	HEPBURN	PALMER	STORY
BAKER	DAY	HOBBIE	PARKER	SUTHERLAND
BATHE	DEYOE	HOLAHAN	PATTENGILL	E. TAYLOR
BERGEN	DOUGLASS	HOLBROOK	CICERO C. PECK	TERRY
BOUCK	FISH	HOYT	DEWITT C. PECK	THAIN
BRUNDAGE	FITZGERALD	HURD	PEEK	THOMSON
CASE	FLOYD-JONES	JONES	POOL	TOWNSLEY
CHAPPELL	FOSTER	KERN	PRESCOTT	VALENTINE
CHASE	GALVIN	LANGNER	ROBERTS	WADSWORTH
CLAPP	GILBERT	MAPES	ROWLAND	WILLIAMS
CLARK	GRADY	MCDONOUGH	SAWYER	WILLIS
CONVERSE	GRAHAM	MEEKEL	SEEBACHER	WINCH
CORMACK	GRIGGS	MOOERS	SHEARD	WORTH

Those who voted in the negative, were

CLANCY FRANK KEEGAN

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Speaker and Clerk, with the consent of the House, referred the following bills to the sub-committee of the whole:

Senate, not printed, G. O. 556, "An act to incorporate the Auburn City Hospital."

Senate, not printed, G. O. 513, "An act authorizing the adult male Seneca Indians, residing upon the Cornplanter reservation, to vote and hold office under the constitution of the Seneca nation of Indians."

Senate, G. O. 505, No. 164, "An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled An act to incorporate the village of Bath, in the county of Steuben.'"

Senate, G. O. 504, No. 114, "An act to amend chapter 230 of the Laws of 1850, entitled 'An act to amend an act to incorporate the village of West Troy, and for other purposes,' passed April 30, 1836."

Senate, G. O. 498, No. 169, "An act to legalize the acts of Owen Glennon, a justice of the peace of the town of Hunter, Greene county."

G. O. 538, No. 472, "An act to amend title 6, chapter 1, part 4, section 2 of the Revised Statutes, entitled 'Of offenses punishable by imprisonment in a county jail and by fine.'"

G. O. 537, No. 471, "An act to amend chapter 833 of the Laws of 1873, entitled 'An act to regulate the fees of coroners.'"

G. O. 534, No. 468, "An act to amend section 9, chapter 90 of the Laws of 1869, entitled 'An act to provide for improvement of the navigation of the Racket river and of the hydraulic power thereon, and to check freshets therein.'"

G. O. 531, No. 465, "An act to repeal sections 3, 4, 5, 6, 7 and 8 of chapter 392 of the Laws of 1873, entitled 'An act for the relief of the Corning library.'"

G. O. 525, No. 460, "An act to secure the payment of laborers, mechanics, merchants, traders, and persons furnishing materials towards the performing of any public work in the cities of the State of New York."

G. O. 523, No. 458, "An act to amend an act entitled 'An act to legalize the adoption of minor children by adult persons.'"

G. O. 522, No. 457, "An act to regulate and control the raising and spending of public moneys in the county of Kings."

G. O. 519, No. 454, "An act releasing the interests of the State in certain lands of which Patrick Kinney died possessed to John Kinney, James Kinney, and Patrick Kinney, his children and heirs at law."

G. O. 511, No. 450. "An act to extend and define the liberties of the jail for the county of Ulster."

G. O. 501, No. 445, "An act to amend chapter 224 of the Laws of 1874, entitled 'An act to repeal chapter 440 of the Laws of 1873, entitled An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes, so far as the same relates to the counties of Clinton, Chenango, Seneca, Queens, Orange, Essex, Cayuga, Madison, and Steuben.'"

G. O. 500, No. 444, "An act for the better protection of innkeepers."

G. O. 499, No. 443, "An act to provide for the building of a town-house in the town of Sparta, in the county of Livingston."

G. O. 497, No. 442, "An act to incorporate the Columbia County Bar Association."

G. O. 494, No. 439, "An act to facilitate the making proofs of discharge from State prison upon a trial for second offense."

G. O. 493, No. 438, "An act to legalize and confirm the official acts of William Alt, of the city of New York, a notary public."

G. O. 483, No. 429, "An act to empower the trustees of the village of Horseheads to build a dam across the Chemung canal, at any place they may select south of the junction of the Chemung canal and feeder, within the limits of the corporation of the village of Horseheads."

G. O. 482, No. 428, "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

G. O. 477, No. 424, "An act to amend an act passed April, 1862, entitled 'An act for the better protection of life and property in the city of New York.'"

G. O. 472, No. 419, "An act to limit and define the powers of the supervisor, town clerk, commissioners of highways and justices of the peace of the town of Pelham, in the county of Westchester."

G. O. 458, No. 411, "An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies."

G. O. 439, No. 393, "An act authorizing the conveyance of certain portions of the Chenango canal."

G. O. 378, No. 335, "An act supplemental to chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations.'"

G. O. 320, No. 274, "An act to amend section 8 of chapter 608 of the Laws of 1871, entitled 'An act to amend an act to provide for the incorporation of fire insurance companies, passed June 25, 1853.'"

G. O. 318, No. 372, "An act to incorporate the Society for the Prevention of Crime."

G. O. 305, No. 260, "An act to amend chapter 691 of the Laws of 1865, entitled 'An act to amend an act entitled An act to amend an act for the incorporation of companies formed to navigate the lakes and rivers, passed April 15, 1854,' and to amend an act entitled 'An act to amend an act entitled An act for the incorporation of companies to navigate the lakes and rivers, passed April 15, 1854,' passed April 15, 1861."

On motion of Mr. Douglass, and at 1 o'clock and 45 minutes, the House took a recess until 4 o'clock and 30 minutes this afternoon.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. Wadsworth offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of the Senate bill entitled "An act to amend chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights and other property connected therewith,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Brooks introduced a bill entitled "An act to amend an act passed May 19, 1875, entitled 'An act to amend an act entitled An act to incorporate the village of New Brighton,' passed April 20, 1867, and amended April 27, 1871, March 27, 1872, and May 17, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent,

Mr. De Witt C. Peck offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 399, entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,' so far as the same relates to the county of Oswego," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

By unanimous consent,

Mr. Meyenborg offered for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 461, entitled "An act in relation to the issue and sale of ferry tickets by the Union Ferry Company of Brooklyn," be referred to the first committee of the whole, not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Valentine, offered for the consideration of the House, a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 356, entitled "An act to authorize the board of supervisors of the county of Wayne to determine that the Clyde and Rose Plankroad Company abandon its plank or gravel road in that county, and to provide for the abandonment thereof," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Brooks moved that the Assembly bill entitled "An act in relation to insurance examinations," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Day offered, for the consideration of the House, a resolution in the words following:

Resolved, That Senate bill No. 8, entitled "An act for the relief of the Buffalo Eye and Ear Infirmary," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker announced, pursuant to the ninth joint rule, order of business, third reading of bills.

The bill entitled "An act to provide for the appointment of special game constables," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82.

NOES 4.

Those who voted in the affirmative, were

ABBOTT	CHASE	J. HAYES	MEYENBORG	SHANLEY
ALLEN	CLANCY	HENRY	NIVEN	SHEARD
ALVORD	CLARK	HEPBURN	NORTH	SHELDON
ANDREWS	CORMACK	HOBBIE	NOYES	SKINNER
BAKER	CROWLEY	HOLBROOK	PALMER	STRACK
BATHE	CURRAN	HOYT	CICERO C. PECK	THOMSON
BEARD	DAY	HURD	DEWITT C. PECK	TOWNSLEY
BERGEN	DELL	JONES	PEEK	VALENTINE
BERRIGAN	FISH	KELLOGG	POOL	WADSWORTH
BERRY	FLOYD-JONES	KERN	PRESCOTT	WARING
BOUCK	FLYNN	LANGNER	REYNOLDS	WEMPLE
BROOKS	FOSTER	LOVELAND	ROWLAND	WHEELER
BROWNING	GALVIN	MAPES	SAWYER	WILBOR
BRUNDAGE	GRADY	MATTISON	SEARING	WILLIS
BURNS	GRAHAM	MEAD	SEEBACHER	WINCH
CASE	HALLIDAY	MEKEEL	SEWELL	WORTH
CHAPPELL	HAMILTON			

Those who voted in the negative, were

GRIGGS	PROPER	ROBERTS	WILLERS
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the official acts and proceedings of Alanson King, Andrew Sheldon and Harvey Wellman as commissioners of excise of the town of Perry, Wyoming county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	I. I. HAYES	NORTH	SHANLEY
ALLEN	CORMACK	HEPBURN	NOYES	SHEARD
ALVORD	COSAD	HOBBIE	PATTENGILL	SHELDON
ANDREWS	CRAWFORD	HOLBROOK	CICERO C. PECK	SKINNER
BAKER	CURRAN	JONES	DEWITT C. PECK	STORY
BATHE	DAY	KELLOGG	PEEK	STRACK
BEARD	DOUGLASS	KERN	POOL	TOWNSLEY
BERRIGAN	FISH	LANGNER	PRESCOTT	VALENTINE
BERRY	FLOYD-JONES	LOVELAND	PROPER	WADSWORTH
BOUCK	FLYNN	MAPES	REYNOLDS	WARING
BROWNING	FOSTER	MATTISON	ROWLAND	WEMPLE
BRUNDAGE	GALVIN	MEAD	SAWYER	WILBOR
CASE	GRIGGS	MEKEEL	SEARING	WILLIS
CHAPPELL	HALLIDAY	MOOERS	SEEBACHER	WINCH
CLANCY	HAMILTON	MEYENBORG	SEWELL	WORTH
CLAPP	HAVENS	NIVEN		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to repeal section 830 of chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 76.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOLBROOK	NIVEN	SHEARD
ALLEN	CURRAN	HOYT	NORTH	SHELDON
ALVORD	DEYOE	HURD	NOYES	SKINNER
ANDREWS	DOUGLASS	JONES	PALMER	STORY
BEARD	DUELL	KELLOGG	PEEK	STRACK
BERGEN	FLOYD-JONES	KERN	POOL	E. TAYLOR
BERRIGAN	FLYNN	LOVELAND	PROPER	THOMSON
BERRY	FOSTER	MAPES	REYNOLDS	TOWNSLEY
BROWNING	GRIGGS	MATTISON	ROBERTS	VALENTINE
BRUNDAGE	HALLIDAY	MCDONOUGH	ROWLAND	WADSWORTH
CASE	HAMILTON	MEAD	SAWYER	WARING
CHAPPELL	HAVENS	MEKEEL	SEARING	WEMPLE
CLANCY	J. HAYES	MOOERS	SEEBACHER	WILBOR
CLAPP	HEPBURN	MEYENBORG	SEWELL	WILLERS
CLARK	HOBBIE	NEILSON	SHANLEY	WILLIS
CORMACK				

For the negative,
FISH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to authorize the trustees of the Grosvenor library in the city of Buffalo to sell certain real estate, and to perfect the title to the same, and to amend the law respecting the maintenance of said library," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOYT	PALMER	SKINNER
ALLEN	COSAD	HURD	PATTENGILL	STORY
ALVORD	CROWLEY	JONES	CICERO C. PECK	STRACK
ANDREWS	CURRAN	KELLOGG	PEEK	E. TAYLOR
BAKER	DAY	KERN	POOL	THAIN
BATHE	DEYOE	LANGNER	PRESCOTT	TOWNSLEY
BEARD	DUELL	LOVELAND	REYNOLDS	VALENTINE
BERRIGAN	FLOYD-JONES	MAPES	ROBERTS	WADSWORTH
BROOKS	FLYNN	MCDONOUGH	ROWLAND	WARING
BROWNING	FOSTER	MEAD	SAWYER	WHEELER
BRUNDAGE	GALVIN	MEKEEL	SEARING	WILBOR
CASE	GILBERT	MOOERS	SEEBACHER	WILLERS
CHAPPELL	HALLIDAY	MEYENBORG	SEWELL	WILLIAMS
CLANCY	GALVIN	NEILSON	SHANLEY	WILLIS
CLAPP	HEPBURN	NIVEN	SHEARD	WINCH
CLARK	HOBBIE	NORTH	SHELDON	WORTH
CONVERSE	HOLBROOK	NOYES		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1 of chapter 347 of the Laws of 1870, entitled 'An act to incorporate the fire department of the village of Canton,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HAVENS	MEYENBORG	SEARING
ALLEN	COSAD	HENRY	NEILSON	SEWELL
ALVORD	CROWLEY	HEPBURN	NIVEN	SHANLEY
ANDREWS	CURRAN	HOBBIE	NORTH	SHELDON
BAKER	DALY	HOLBROOK	NOYES	SKINNER
BATHE	DAY	HOYT	PALMER	STORY
BEARD	DEYOE	HURD	PARKER	STRACK
BERGEN	DUELL	JONES	PATTENGILL	E. TAYLOR
BERRIGAN	FISH	KEEGAN	CICERO C. PECK	TOWNSLEY
BERRY	FITZGERALD	KELLOGG	PEEK	VALENTINE
BROOKS	FLOYD-JONES	KERN	POOL	WADSWORTH
BROWNING	FLYNN	LANGNER	PRESCOTT	WEMPLE
BRUNDAGE	FOSTER	LOVELAND	PROPER	WILLERS
CASE	GALVIN	MATTISON	REYNOLDS	WILLIS
CLAPP	GILBERT	MCDONOUGH	ROWLAND	WINCH
CLARK	GRIGGS	MEKEEL	SAWYER	WORTH
CONVERSE	HAMILTON	MOOERS		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act in relation to the franchise and powers of the village of Athens," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 94.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HENRY	NIVEN	SKINNER
ALLEN	COSAD	HEPBURN	NORTH	STORY
ALVORD	CROWLEY	HOBBIE	NOYES	STRACK
ANDREWS	CURRAN	HOLBROOK	PALMER	E. TAYLOR
BAKER	DALY	HOYT	PARKER	TERRY
BATHE	DAY	HURD	PATTENGILL	THAIN
BEARD	DUELL	JONES	CICERO C. PECK	THOMSON
BERRIGAN	FISH	KEEGAN	PEEK	TOWNSLEY
BERRY	FITZGERALD	KELLOGG	POOL	WADSWORTH
BROOKS	FLOYD-JONES	KERN	PRESCOTT	WARING
BROWNING	FLYNN	LANGNER	PROPER	WEMPLE
BRUNDAGE	FOSTER	LOVELAND	PURDY	WHEELER
BURNS	GALVIN	MAPES	REYNOLDS	WILBOR
CASE	GILBERT	MATTISON	ROBERTS	WILLERS
CHAPPELL	GRADY	MEAD	ROWLAND	WILLIAMS
CLANCY	GRIGGS	MEKEEL	SEARING	WILLIS
CLAPP	HALLIDAY	MOOERS	SEWELL	WINCH
CLARK	HAMILTON	MEYENBORG	SHANLEY	WORTH
CONVERSE	HAVENS	NEILSON	SHELDON	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to authorize corporations formed for manufacturing, mining, mechanical or chemical purposes to mortgage their property and franchises," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HURD	NOYES	SHELDON
ALVORD	CURRAN	JONES	PALMER	SKINNER
BAKER	DALY	KEEGAN	PATTENGILL	STORY
BATHE	DUELL	KELLOGG	PATTERSON	STRACK
BEARD	FISH	KERN	CICERO C. PECK	E. TAYLOR
BERRIGAN	FITZGERALD	LANGNER	PEEK	TERRY
BERRY	FLOYD-JONES	LOVELAND	POOL	THAIN
BROOKS	FLYNN	MATTISON	PRESCOTT	THOMSON
BROWNING	FOSTER	MCDONOUGH	PURDY	TOWNSLEY
BRUNDAGE	GRADY	MEAD	REYNOLDS	WADSWORTH
CLANCY	GRIGGS	MEKEEL	ROBERTS	WARING
CLAPP	HALLIDAY	S. V. R. MILLER	ROWLAND	WEMPLE
CLARK	HAMILTON	MEYENBORG	SEARING	WILBOR
CONVERSE	HENRY	NEILSON	SEWELL	WILLERS
CORMACK	HEPBURN	NELSON	SHANLEY	WILLIS
COSAD	HOLBROOK	NIVEN	SHEARD	WINCH
CRAWFORD	HOYT	NORTH		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1878, and to provide for an anticipated deficiency in former appropriations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HENRY	MEYENBORG	SEWELL
ALLEN	CROWLEY	HEPBURN	NELSON	SHANLEY
ALVORD	CURRAN	HOBBIE	NIVEN	SHELDON
ANDREWS	DALY	HOLBROOK	NORTH	SKINNER
BAKER	DAY	HOYT	NOYES	E. TAYLOR
BEARD	DUELL	HURD	PALMER	TERRY
BERGEN	FISH	KEEGAN	PARKER	THAIN
BERRIGAN	FLOYD-JONES	KELLOGG	PATTENGILL	THOMSON
BERRY	FOSTER	KERN	PATTERSON	TOWNSLEY
BROOKS	GALVIN	LANGNER	PEEK	WADSWORTH
BROWNING	GILBERT	LOVELAND	POOL	WEMPLE
BRUNDAGE	GRADY	MATTISON	PRESCOTT	WILBOR
CASE	GRIGGS	MEAD	PURDY	WILLERS
CHAPPELL	HALLIDAY	MEKEEL	ROBERTS	WILLIS
CLANCY	HAMILTON	S. V. R. MILLER	ROWLAND	WINCH
CLAPP	HAVENS	MOOERS	SEEBACHER	WORTH
CLARK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to exempt the counties of Wayne and Broome from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HEPBURN	NELSON	SHANLEY
ALLEN	COSAD	HOLBROOK	NIVEN	SHELDON
ALVORD	CROWLEY	HOYT	NORTH	SKINNER
ANDREWS	CURRAN	JONES	NOYES	STORY
BAKER	DALY	KEEGAN	PALMER	E. TAYLOR
BATHE	DAY	KELLOGG	PARKER	TERRY
BEARD	DUELL	KERN	PATTENGILL	THAIN
BERGEN	FISH	LANGNER	CICERO C. PECK	TOWNSLEY
BERRIGAN	FLOYD-JONES	LOVELAND	PEEK	WADSWORTH
BERRY	FOSTER	MAPES	POOL	WEMPLE
BROOKS	GALVIN	MEAD	PRESCOTT	WHEELER
BROWNING	GILBERT	MEKEEL	PURDY	WILBOR
BRUNDAGE	GRADY	S. V. R. MILLER	REYNOLDS	WILLERS
BURNS	GRIGGS	MOOERS	ROBERTS	WILLIS
CASE	HALLIDAY	MEYENBORG	ROWLAND	WINCH
CLAPP	HAMILTON	NEILSON	SEWELL	WORTH
CLARK	HAVENS			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 449 of the Laws of 1867, entitled 'An act to incorporate the village of Douglass, and the several acts amendatory thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	JONES	NORTH	J. T. TAYLOR
ALLEN	CRAWFORD	KEEGAN	NOYES	TERRY
ALVORD	DALY	KELLOGG	PATTENGILL	THAIN
BAKER	DAY	KERN	DEWITT C. PECK	THOMSON
BATHE	DEYOE	LANGNER	POOL	TOWNSLEY
BEARD	FISH	LOVELAND	PRESCOTT	VALENTINE
BERRIGAN	FLOYD-JONES	MAPES	PROPER	WADSWORTH
BERRY	GALVIN	MATTISON	PURDY	WARING
BROOKS	HALLIDAY	MEAD	REYNOLDS	WEMPLE
BROWNING	HAMILTON	MEKEEL	ROWLAND	WHEELER
BRUNDAGE	I. I. HAYES	S. V. R. MILLER	SAWYER	WILBOR
CASE	HEPBURN	MOOERS	SEWELL	WILLERS
CHAPPELL	HOBBIE	MEYENBORG	SHANLEY	WILLIS
CLAPP	HOLBROOK	NEILSON	SHELDON	WINCH
CLARK	HOYT	NELSON	SKINNER	WORTH
CONVERSE	HURD	NIVEN	E. TAYLOR	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to provide for the examination of banks and banking associations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 74.

NOES 13.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HEPBURN	MOOERS	SHELDON
ALVORD	CURRAN	HOBBIE	MEYENBORG	SKINNER
BEARD	DALY	HOYT	NIVEN	STORY
BERRIGAN	DEYOE	HURD	NOYES	E. TAYLOR
BERRY	FISH	JONES	PALMER	J. T. TAYLOR
BROOKS	FITZGERALD	KEEGAN	PATTERSON	THAIN
BROWNING	FLYNN	KELLOGG	POOL	WADSWORTH
BRUNDAGE	FOSTER	KERN	PRESCOTT	WARING
CASE	GILBERT	LOVELAND	PURDY	WEMPLE
CHAPPELL	GRADY	MAPES	REYNOLDS	WILLERS
CLAPP	GRAHAM	MATTISON	ROBERTS	WILLIAMS
CLARK	HALLIDAY	MCDONOUGH	ROWLAND	WILLIS
CORMACK	HAMILTON	MEAD	SAWYER	WINCH
COSAD	HAVENS	MEKEEL	SEWELL	WORTH
CRAWFORD	I. I. HAYES	S. V. R. MILLER	SHANLEY	

Those who voted in the negative, were

ALLEN	BATHE	LANGNER	PATTENGILL	THOMSON
ANDREWS	DAY	NELSON	CICERO C. PECK	WILBOR
BAKER	FLOYD-JONES	NORTH		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to secure better public administration in the local government in the city of New York," having been announced for a third reading,

Mr. I. I. Hayes moved that said bill be recommitted to the committee on affairs of cities, with instructions to amend the same in the words following, and report forthwith:

Amend the title by striking out the words "local government of."

Section 2, line 4, engrossed bill, strike out the words "four-fifth," and insert in lieu thereof the words "three-fourth."

Section 4, line 18, strike out all after the word "dollars" down to the word "The," in line 34.

Same section, line 52, after the first word "the," insert the words "quantities and;" and, in the same line, strike out the word "qualities," and insert in lieu thereof the word "quality."

Same section, line 54, change the word "specification" to the plural—"specifications."

Same section, line 75, after the word "that," strike out the word "the," and insert the word "such."

Same section, line 76, strike out the word "material," and insert the word "such."

Section 6, line 1, insert, after the word "proposal," the words "made in conformity to the provisions of this act."

Same section, line 14, strike out all after the words "lowest bid" down to the end of the section.

Section 7, line 27, insert, after the word "shall," the words "in the opinion expressed, in writing, of such head of department or officer."

Section 16, line 7, insert, after the word "shown," the words "within ten days after the list shall have been transmitted to the said board."

Section 22, line 27, insert, after the word "else," the words "except with reference to the law department."

Same section, line 32, insert, after the word "city," the words "except the law department."

Same section, line 42, insert, after the word "incurred," the words "except with reference to the law department."

Section 23, line 25, insert, after the word "ceased," as follows: "No audit of any bill, account, claim or demand for which said city is liable, made by the board of supervisors of the county of New York, or by any auditing board or auditing officer prior to the thirtieth day of April, eighteen hundred and seventy-four, shall be evidence as to the correctness of said bill or account, or as to the liability of said city therefor. It shall be the duty of any person presenting any such claim or demand to the comptroller for settlement, or who has commenced, or may hereafter commence, an action for the payment of any such claim or demand, to show the validity and justness of the same, and the amount due and payable by the city thereon, independently of such audit, which shall not be evidence against said city in such action."

Same section, line 31, strike out all after the word "statute" down to the end of the section.

Section 24, line 11, insert, after the word "said," the word "mayor."

Section 27, line 2, engrossed bill, insert, after the word "officers," the words "except the police department and board."

Section 32, line 4, strike out the word "before," and insert in lieu thereof the word "by."

Strike out all of section 33.

Section 34, line 16, strike out all after the words "seventy-two" down to and including the words "seventy-three," in line 20.

Make section 34 read section 33.

Make section 35 read section 34.

Make section 36 read section 35.

The question being upon the motion of Mr. I. I. Hayes,

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, reported said bill back to the House, amended as instructed.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 72.

NOES 6.

Those who voted in the affirmative, were

ABBOTT	CORMACK	J. HAYES	MOOERS	SEEBACHER
ALLEN	COSAD	HENRY	MEYENBORG	SEWELL
ANDREWS	CROWLEY	HEPBURN	NEILSON	SHANLEY
BAKER	DAY	HOBBIE	NIVEN	SHEARD
BATHE	DEYOE	HOYT	NOYES	SHELDON
BEARD	DUELL	HURD	PARKER	E. TAYLOR
BERGEN	FISH	JONES	PATTERSON	THAIN
BERRIGAN	FITZGERALD	KERN	POOL	THOMSON
BERRY	FLOYD-JONES	LOVELAND	PRESCOTT	WADSWORTH
BROOKS	GALVIN	MAPES	PURDY	WARING
BROWNING	GILBERT	MATTISON	ROBERTS	WILBOR
CHAPPELL	GRADY	MCDONOUGH	ROWLAND	WILLERS
CLAPP	GRAHAM	MEAD	SAWYER	WILLIAMS
CLARK	HAMILTON	MEKEEL	SEARING	WINCH
CONVERSE	I. I. HAYES			

Those who voted for the negative, were

ALVORD	FLYNN	HALLIDAY	SKINNER	WILLIS
DALY				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the common council of the city of New York to change the name of the 'Boulevard,' in that city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 90.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	GRAHAM	NELSON	SHANLEY
ALLEN	CORMACK	HAMILTON	NIVEN	SHEARD
ALVORD	COSAD	I. I. HAYES	NORTH	SHELDON
BAKER	CRAWFORD	HOBBIE	NOYES	SKINNER
BATHE	CROWLEY	HOYT	PALMER	SLITER
BEARD	DAY	HURD	PARKER	STRACK
BERGEN	DEYOE	JONES	PATTENGILL	THAIN
BERRIGAN	DOUGLASS	KELLOGG	PATTERSON	THOMSON
BERRY	DUELL	KERN	CICERO C. PECK	WADSWORTH
BROOKS	FISH	LANGNER	POOL	WARING
BROWNING	FITZGERALD	LOVELAND	PRESCOTT	WEMPLE
BRUNDAGE	FLOYD-JONES	MCDONOUGH	PURDY	WHEELER
BURNS	FLYNN	MEAD	REYNOLDS	WILBOR
CASE	FOSTER	MEKEEL	ROBERTS	WILLERS
CHAPPELL	FRANK	S. V. R. MILLER	ROWLAND	WILLIAMS
CLANCY	GALVIN	MOOERS	SAWYER	WILLIS
CLAPP	GILBERT	MEYENBORG	SEEBACHER	WINCH
CLARK	GRADY	NEILSON	SEWELL	WORTH

Those who voted in the negative, were

CURRAN

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to make the office of supervisor in the county of Erie a salaried office, and to provide for the appointment and compensation of other officers of said board,' passed May 13, 1876," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HAMILTON	MOOERS	SHANLEY
ALLEN	CONVERSE	HAVENS	MEYENBORG	SHELDON
ALVORD	COSAD	I. I. HAYES	NIVEN	SKINNER
BAKER	CROWLEY	HOBBIE	NORTH	E. TAYLOR
BATHE	CURRAN	HOLBROOK	NOYES	J. T. TAYLOR
BEARD	DAY	HOYT	PATTENGILL	THAIN
BERGEN	DEYOE	HURD	PATTERSON	THOMSON
BERRIGAN	DUELL	JONES	CICERO C. PECK	WADSWORTH
BERRY	FISH	KEEGAN	PEEK	WEMPLE
BROWNING	FITZGERALD	KELLOGG	POOL	WHEELER
BRUNDAGE	FLOYD-JONES	LANGNER	PRESCOTT	WILBOR
BURNS	FOSTER	LOVELAND	PURDY	WILLERS
CASE	GALVIN	MCDONOUGH	REYNOLDS	WILLIAMS
CHAPPELL	GRAHAM	MEAD	ROBERTS	WILLIS
CLANCY	GRIGGS	MEKEEL	ROWLAND	WINCH
CLAPP	HALLIDAY	S. V. R. MILLER	SAWYER	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confer additional powers upon corporations organized under chapter 438, Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing,' and the several acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77. NOES 00.

Those who voted in the affirmative, were

ABBOTT	DEYOE	HOYT	PARKER	STORY
ALLEN	DUELL	HURD	PATTERSON	STRACK
ALVORD	FISH	JONES	CICERO C. PECK	E. TAYLOR
BEARD	FITZGERALD	KEEGAN	PEEK	J. T. TAYLOR
BERRY	FLOYD-JONES	KELLOGG	POOL	THAIN
BROWNING	FLYNN	LANGNER	PRESCOTT	THOMSON
BRUNDAGE	FOSTER	LOVELAND	PROPER	WADSWORTH
CHAPPELL	GILBERT	MEAD	PURDY	WARING
CLAPP	GRAHAM	MEKEEL	REYNOLDS	WEMPLE
CLARK	GRIGGS	S. V. R. MILLER	ROBERTS	WHEELER
CONVERSE	HALLIDAY	MOOERS	ROWLAND	WILLERS
CORMACK	HAMILTON	NIVEN	SHEARD	WILLIAMS
COSAD	HAVENS	NORTH	SHELDON	WILLIS
CROWLEY	I. I. HAYES	NOYES	SKINNER	WINCH
DALY	HOBBIE	PALMER	SLITER	WORTH
DAY	HOLBROOK			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act further to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HAMILTON	S. V. R. MILLER	SHANLEY
ALLEN	CORMACK	HAVENS	MOOERS	SHEARD
ALVORD	COSAD	I. I. HAYES	MEYENBORG	SHELDON
BAKER	CURRAN	HENRY	NEILSON	SKINNER
BATHE	DAY	HOBBIE	NIVEN	SLITER
BEARD	DEYOE	HOLBROOK	NORTH	STRACK
BERGEN	DOUGLASS	HURD	PALMER	E. TAYLOR
BERRY	FISH	JONES	PATTENGILL	J. T. TAYLOR
BROWNING	FITZGERALD	KEEGAN	PATTERSON	THAIN
BRUNDAGE	FLOYD-JONES	KELLOGG	CICERO C. PECK	THOMSON
BURNS	FLYNN	KERN	DEWITT C. PECK	WADSWORTH
CASE	FOSTER	LANGNER	POOL	WARING
CHAPPELL	GALVIN	LOVELAND	ROBERTS	WEMPLE
CLANCY	GRADY	MCDONOUGH	ROWLAND	WILLIS
CLAPP	GRAHAM	MEAD	SAWYER	WINCH
CLARK	HALLIDAY	MEKEEL	SEARING	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Graham offered, for the consideration of the House, a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 103, entitled "An act to amend an act entitled 'An act to incorporate the city of Newburgh,' passed April 22, 1865, and the several acts amendatory thereof," for the purpose of correction.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Berry, from the sub-committee of the whole, presented a report; which was laid upon the table and ordered printed.

(See Doc. No. 114.)

The bill entitled "An act to render inoperative an act entitled 'An act to amend an act to improve the Cayuga creek road in the county of Erie,' passed March 29, 1848, passed March 29, 1849, so far as the same applies to the eastern section of said Cayuga creek road," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 81.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	COSAD	HAVENS	NOYES	SHELDON
ALVORD	CURRAN	I. I. HAYES	PALMER	SKINNER
BEARD	DEYOE	HOBBIE	PARKER	SLITER
BERGEN	DOUGLASS	HOLBROOK	PATTENGILL	E. TAYLOR
BERRY	DUELL	HOYT	PATTERSON	THAIN
BROOKS	FISH	HURD	CICERO C. PECK	THOMSON
BROWNING	FITZGERALD	JONES	DEWITT C. PECK	WADSWORTH
BRUNDAGE	FLOYD-JONES	KELLOGG	PEEK	WARING
BURNS	FOSTER	KERN	POOL	WEMPLE
CASE	FRANK	LOVELAND	PRESCOTT	WHEELER
CHAPPELL	GILBERT	MEAD	PURDY	WILBOR
CHASE	GRADY	MEKEEL	REYNOLDS	WILLERS
CLANCY	GRAHAM	MOOERS	ROBERTS	WILLIAMS
CLAPP	GRIGGS	MEYENBORG	ROWLAND	WILLIS
CLARK	HALLIDAY	NIVEN	SAWYER	WINCH
CONVERSE	HAMILTON	NORTH	SHEARD	WORTH
CORMACK				

Those who voted in the negative, were

ALLEN CROWLEY DAY

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Cormack moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 6 o'clock and 20 minutes, the House adjourned.

WEDNESDAY, APRIL 17, 1878.

The House met pursuant to adjournment.

Prayer by Rev. William Durant.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Speaker introduced a bill entitled "An act to further amend the act entitled 'An act for the protection of private parks and grounds, and to encourage the propagation of fish and game,' passed April 21, 1871, and amended by chapter 347 of the Laws of 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Speaker presented a communication from the mayor of the city of New York, accompanied by a bill; which were read and referred to the committee on federal relations.

By unanimous consent,

Mr. Daly introduced a bill entitled "An act to regulate the practice of veterinary medicine and surgery in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

By unanimous consent,

Also, a bill entitled "An act to reorganize the Courts of Special Sessions of the Peace in and for the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate sent for concurrence the bills entitled as follows :

"An act to punish attempts to obtain money or value by the willful use of threats," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 489 of the Laws of 1873, entitled 'An act to amend an act entitled An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego Lewis, Orange and Dutchess,' passed April 17, 1854, and as amended by chapter 558 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of the State, except the counties of Erie, Kings, Queens, New York and Onondaga,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act to facilitate the removal of human remains from burying-grounds within the limits of cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to devises and bequests to charitable, religious and other societies and corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act supplemental to chapter 306 of the Laws of 1862, entitled 'An act to prevent and punish fraud in the use of stamps, brands, labels or trade marks,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act affecting certain streets within the improvement district in Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to change the boundary of the village of Hempstead, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on civil divisions.

"An act further to amend chapter 479 of the Laws of 1875, entitled 'An act in relation to the jurisdiction of the marine court of the city of New York, and to the justices of said court,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the Colored Home of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act in relation to the city government of Long Island City,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned the Assembly bill entitled "An act in relation to coroners' fees and post-mortem examinations in Monroe county," with a message that they had reconsidered the vote on the final passage of said bill, and had passed the same as amended by the Assembly.

Ordered. That the Clerk return said bill to the Senate.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act providing for the appointment of an additional number of commissioners of deeds in the city of New York."

"An act to amend chapter 161 of the Laws of 1876, entitled 'An act to amend chapter 563 of the Laws of 1869, entitled An act to amend an act entitled An act to protect butter and cheese manufacturers,' passed May 2, 1864.'"

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, and the several acts amendatory thereof."

"An act requiring the highway tax of the New York Central and Hudson River Railroad Company through the town of Mentz to be applied to the repairs of certain highways and bridges in said town."

"An act further to amend chapter 338 of the Laws of 1875, entitled 'An act to amend an act entitled An act for the relief of the surviving members of the First regiment of New York Volunteers, who served in the war with Mexico.'"

"An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the 1st day of October, 1878, and to supply in part a deficiency in the sinking fund, under article 7, section 3 of the Constitution."

"An act to amend chapter 624 of the Laws of 1874, entitled 'An act to amend the several acts incorporating the village of Oswego Falls,' passed June 9, 1874, and to amend chapter 213 of the Laws of 1866, entitled 'An act to incorporate the village of Oswego Falls,' passed March 22, 1866."

"An act further to amend section 2 of title 2 of chapter 13 of part 1 of the Revised Statutes, entitled 'Of the assessment and collection of taxes,' and to amend chapter 427 of the Laws of 1855, entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes.'"

"An act authorizing the Staten Island and New Jersey Suspension Bridge and Railroad Company to change its corporate name, and extending the time for the commencement of work by said corporation."

"An act in relation to the redemption of lands in the city of Youkers from sales for unpaid taxes and assessments."

"An act to legalize the proceedings of the electors of the town of Fowler, St. Lawrence county, in annual and special town meetings assembled on the 12th and 26th days of February, 1878, in relation to the raising of money for the improvement of certain roads."

Ordered. That the Clerk deliver said bills to the Governor.

Mr. Alvord in the chair.

By unanimous consent,

Mr. Thain introduced a bill entitled "An act relative to the establishment, laying out and opening, or extension of Lexington avenue from Ninety-seventh street to One Hundred and Second Street, in the city of

New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Flynn introduced a bill entitled "An act to repeal chapter 374 of the Laws of 1876, entitled 'An act to amend chapter 555 of the Laws of 1864, entitled An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent,

Mr. Meyenborg introduced a bill entitled "An act in relation to the term of office of the keeper of the morgue of Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Baker introduced a bill entitled "An act to make alterations in the map or plan of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The privileges of the floor were granted to the Hon. John Taylor.

By unanimous consent,

Mr. Shanley introduced a bill entitled "An act for the preservation of fish, and to prevent the deposit of carrion or any deleterious substances on any fishing grounds, or in any rivers, creeks, or waters within or adjacent to the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Brooks presented a memorial in favor of the new Code of Civil Procedure; which was read and laid upon the table.

Mr. Cormack presented a petition of citizens of Delaware county in favor of the passage of a law authorizing the formation of town mutual insurance companies; which was read and laid upon the table.

Mr. Peek presented a petition of members of the bar of Fulton county in favor of the new Code of Civil Procedure; which was read and laid upon the table.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Burns, Int. No. 506, entitled "An act to amend chapter 58, Laws of 1855, entitled 'An act in relation to the Troy water-works,' passed March 9, 1875,'" reported adversely thereto.

On motion of Mr. Fish, said report was laid upon the table.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Waring, Int. No. 670, entitled "An act to change the bulk-head and pier-lines at and near the entrance of Bushwick inlet into the East river," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to repeal so much of section 1 of chapter 833 of the Laws of 1871 as provides for the opening of part of North Thirteenth street, in the city of Brooklyn, without the consent of the property owners," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred

the Senate bill, Int. No. 150, entitled "An act to amend chapter 440 of the Laws of 1876, entitled 'An act to amend an act entitled An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amendatory of the same, passed March 4, 1872," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. I. I. Hayes, Int. No. 747, entitled "An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill Int. No. 145, entitled "An act to amend chapter 443 of the Laws of 1876, entitled 'An act supplemental to the act entitled 'An act to revise the charter of the city of Syracuse,' passed March 3, 1877, and the acts amendatory thereto," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same ordered to a third reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 148, entitled "An act to amend chapter 129 of the Laws of 1872, entitled 'An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy,' passed April 12, 1816, and the several acts amendatory thereof, and also to amend the acts relating to the city of Troy," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Moller, Int. No. 824, entitled "An act in relation to the bonded debt of the town of White Plains, in the county of Westchester," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Neilson, Int. No. 724, entitled "An act to provide for the election of a police justice in the town of Waterford, county of Saratoga," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Valentine, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Jacobs, Int. No. 159, entitled "An act in relation to the term of office of the clerk of the board of supervisors of Kings county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Valentine, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Lynde, Int. No. 156, entitled "An act to amend chapter 83 of the Laws of 1869, entitled 'An act to provide for improvement of Grass river, and of the water-power thereon, and to check freshets therein,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Miller, Int. No. 729, entitled "An act to amend chapter 283 of the Laws of 1871, entitled 'An act to amend an act, entitled An act to amend chapter 907 of the Laws of 1869, entitled An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads, passed May 18, 1869, passed May 18, 1870," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Prescott, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Goodwin, Int. No. 154, entitled "An act to authorize the postponement of the levy of a tax to pay bonds issued by the town of Vienna, in the county of Oneida, to facilitate the construction of the New York and Oswego, Midland railroad, not yet matured," reported in favor of the passage of the same, which report was agreed to.

Mr. Prescott moved that said bill be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,' passed April 11, 1870," having been announced for a third reading,

Mr. Grady moved that said bill be laid aside for the present.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 348 of the Laws of 1876, entitled 'An act to amend section 32, part 1, title 1, article 3, chapter 16 of the Revised Statutes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CLANCY	GRAHAM	S. V. R. MILLER	ROWLAND
ALLEN	CLAPP	GRIGGS	MOOERS	SEEBACHER
ALVORD	CLARK	HAMILTON	MEYENBORG	SEWELL
ANDREWS	CONVERSE	HAVENS	NEILSON	SHELDON
ASTOR	CRAWFORD	I. I. HAYES	NELSON	SKINNER
BAKER	CROWLEY	HOBBIE	NORTH	SLITER
BATHE	DALY	HOYT	NOYES	STORY
BEARD	DAY	HURD	PALMER	SUTHERLAND

BERGEN	DUELL	JONES	PARKER	E. TAYLOR
BERRIGAN	FISH	KEATOR	PATTENGILL	TERRY
BERRY	FITZGERALD	KEEGAN	PATTERSON	TOWNSLEY
BOUCK	FLOYD-JONES	KELLOGG	PEEK	VALENTINE
BROOKS	FLYNN	LANGNER	PIPER	WARING
BROWNING	FOSTER	LOVELAND	PRESCOTT	WILBOR
BRUNDAGE	GALVIN	MEAD	PROPER	WILLIS
CASE	GILBERT	MEKEEL	PURDY	WINCH
CHAPPELL	GRADY	J. H. MILLER		

Those who voted in the negative, were

THOMSON

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Indefinite leave of absence was granted to Mr. Crandall.

The bill entitled "An act providing for determining the time at which annual town meetings shall be held in the respective counties of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CLAPP	GILBERT	MEKEEL	SHEARD
ALLEN	CLARK	GRADY	J. H. MILLER	SHELDON
ALVORF	CORMACK	GRAHAM	S. V. R. MILLER	SKINNER
ANDREWS	CRAWFORD	HAMILTON	MOOERS	SLITER
ASTOR	CROWLEY	HAVENS	MEYENBORG	STORY
BAKER	CURRAN	J. HAYES	NELSON	SUTHERLAND
BATHE	DALY	HOBBIE	NIVEN	E. TAYLOR
BEARD	DAY	HOLBROOK	NORTH	TERRY
BERGEN	DOUGLASS	JONES	NOYES	THAIN
BERRIGAN	DUELL	KEATOR	PALMER	VALENTINE
BERRY	FISH	KEEGAN	PARKER	WADSWORTH
BROOKS	FITZGERALD	KELLOGG	PATTENGILL	WARING
BRUNDAGE	FLOYD-JONES	KERN	DEWITT C. PECK	WILBOR
CASE	FLYNN	LANGNER	PEEK	WILLIAMS
CHAPPELL	FOSTER	LOVELAND	ROWLAND	WILLIS
CHASE	GALVIN	MATTISON	SEARING	WINCH
CLANCY				

Those who voted in the negative, were

PRESCOTT THOMSON TOWNSLEY

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to further amend the act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 91.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	J. HAYES	MEYENBORG	SKINNER
ALLEN	CRAWFORD	HEPBURN	NEILSON	SLITER

ALVORD	CROWLEY	HOBBIE	NIVEN	STORY
ANDREWS	CURRAN	HOLBROOK	NORTH	SUTHERLAND
ASTOR	DALY	HOYT	NOYES	E. TAYLOR
BAKER	DAY	HURD	PATTENGILL	J. T. TAYLOR
BATHE	DEYOE	JONES	CICERO C. PECK	TERRY
BEARD	DUELL	KEEGAN	DEWITT C. PECK	THAIN
BERGEN	FISH	KELLOGG	PEEK	THOMSON
BERRIGAN	FITZGERALD	KERN	POOL	TOWNSLEY
BOUCK	FLOYD-JONES	LANGNER	PRESCOTT	VALENTINE
BROOKS	FOSTER	LOVELAND	PURDY	WADSWORTH
BROWNING	GALVIN	LOWING	REYNOLDS	WARING
BRUNDAGE	GRAHAM	MATTISON	ROBERTS	WEMPLE
CHAPPELL	HALLIDAY	MEAD	ROWLAND	WILBOR
CHASE	HAMILTON	MEKEEL	SEWELL	WILLIAMS
CLAPP	HAVENS	J. H. MILLER	SHEARD	WILLIS
CLARK	I. I. HAYES	MOOERS	SHELDON	WINCH
CORMACK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,' passed April 11, 1870," having been announced for a third reading,

Mr. Gilbert moved to recommit said bill to the committee on affairs of cities, with instruction to strike out the enacting clause.

Debate arising thereon,

Mr. Holahan moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Gilbert, and it was determined in the negative, as follows:

AYES 51.

NOES 67.

Those who voted in the affirmative, were

ABBOTT	DEYOE	KERN	PEEK	E. TAYLOR
ALVORD	FISH	LOWING	POOL	TERRY
ANDREWS	GILBERT	MATTISON	PRESCOTT	THOMSON
BERRY	GRAHAM	J. H. MILLER	REYNOLDS	VALENTINE
BRUNDAGE	HALLIDAY	MOOERS	ROWLAND	WADSWORTH
CASE	HEPBURN	NORTH	SEWELL	WARING
CHAPPELL	HOLBROOK	NOYES	SHEARD	WHEELER
CHASE	HOYT	PALMER	SHELDON	WILLIAMS
CLAPP	KEEGAN	CICERO C. PECK	SKINNER	WILLIS
CLARK	KELLOGG	DEWITT C. PECK	SUTHERLAND	WINCH
CORMACK				

Those who voted in the negative, were

ALLEN	CURRAN	HAVENS	MEAD	ROBERTS
BAKER	DALY	I. I. HAYES	MEKEEL	SEARING
BATHE	DAY	J. HAYES	S. V. R. MILLER	SEEBACHER
BEARD	DOUGLASS	HENRY	MEYENBORG	SHANLEY
BERGEN	DUELL	HOBBIE	NEILSON	SLITER
BERRIGAN	FITZGERALD	HOLAHAN	NELSON	STORY
BOUCK	FLOYD-JONES	HURD	NIVEN	STRACK
BROOKS	FLYNN	JONES	PARKER	J. T. TAYLOR
BROWNING	FOSTER	KEATOR	PATTENGILL	THAIN
BURNS	FRANK	LANGNER	PATTERSON	TOWNSLEY
CLANCY	GALVIN	LOVELAND	PIPER	WEMPLE
COSAD	GRADY	MAPES	PROPER	WILBOR
CRAWFORD	GRIGGS	MCDONOUGH	PURDY	WORTH
CROWLEY	HAMILTON			

Mr. Speaker put the question on the final passage of said bill; when, during the calling of the roll,

Mr. Holahan moved a call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The call of the House having been ordered,

Mr. Speaker directed the doors to be closed; and, after the execution of such orders by the officers,

Mr. Speaker directed the Clerk to call the roll, when the following members answered to their names :

ABBOTT	COSAD	J. HAYES	MEYENBORG	SHANLEY
ALLEN	CRAWFORD	HENRY	NEILSON	SHEARD
ALVORD	CROWLEY	HEPBURN	NELSON	SHELDON
ANDREWS	CURRAN	HOBBIE	NIVEN	SKINNER
ASTOR	DALY	HOLAHAN	NORTH	SLITER
BAKER	DAY	HOLBROOK	NOYES	STORY
BATHE	DEYOE	HOYT	PALMER	STRACK
BEARD	DOUGLASS	HURD	PARKER	SUTHERLAND
BERGEN	DUELL	JONES	PATTENGILL	E. TAYLOR
BERRIGAN	FISH	KEATOR	PATTERSON	J. T. TAYLOR
BERRY	FITZGERALD	KEEGAN	CICERO C. PECK	TERRY
BOUCK	FLOYD-JONES	KELLOGG	DEWITT C. PECK	THAIN
BROOKS	FLYNN	KERN	PEEK	THOMSON
BROWNING	FOSTER	LANGNER	PIPER	TOWNSLEY
BRUNDAGE	FRANK	LOVELAND	POOL	WADSWORTH
BURNS	GALVIN	LOWING	PRESCOTT	WARING
CASE	GILBERT	MAPES	PROPER	WEMPLE
CHAPPELL	GRADY	MATTISON	PURDY	WHEELER
CHASE	GRAHAM	MCDONOUGH	REYNOLDS	WILBOR
CLANCY	GRIGGS	MEAD	ROBERTS	WILLIAMS
CLAPP	HALLIDAY	MEKEEL	ROWLAND	WILLIS
CLARK	HAMILTON	J. H. MILLER	SEARING	WINCH
CONVERSE	HAVENS	S. V. R. MILLER	SEEBACHER	WORTH
CORMACK	I. I. HAYES	MOOERS	SEWELL	

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Mr. Gilbert moved that all further proceedings under the call be dispensed with.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Grady moved that the Sergeant-at-Arms be directed, upon the warrant of the Speaker, to summon such members who are absent before the bar of the House to render their excuses for absence.

Mr. Holahan moved that all further proceedings under the call be dispensed with.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then directed the Clerk to proceed with the roll call on the final passage of said bill, which final passage was decided in the negative, as follows :

AYES 62.

NOES 57.

Those who voted in the affirmative, were

ALLEN	CROWLEY	GRIGGS	LOVELAND	ROBERTS
BAKER	CURRAN	HAMILTON	MAPES	SEARING
BATHE	DALY	HAVENS	MCDONOUGH	SEEBACHER
BEARD	DAY	I. I. HAYES	MEAD	SHANLEY
BERGEN	DOUGLASS	J. HAYES	MEKEEL	SLITER
BERRIGAN	DUELL	HENRY	MEYENBORG	STORY
BOUCK	FITZGERALD	HOBBIE	NELSON	STRACK
BROOKS	FLOYD-JONES	HOLAHAN	NIVEN	J. T. TAYLOR

BROWNING	FLYNN	HURD	PATTERSON	THAIN
BURNS	FOSTER	JONES	PIPER	TOWNSLEY
CLANCY	FRANK	KEATOR	PROPER	WILBOR
COSAD	GALVIN	LANGNER	PURDY	WORTH
CRAWFORD	GRADY			

Those who voted in the negative, were

ABBOTT	DEYOE	MATTISON	DEWITT C. PECK	E. TAYLOR
ALVORD	FISH	J. H. MILLER	PEEK	TERRY
ANDREWS	GILBERT	S. V. R. MILLER	POOL	THOMSON
ASTOR	GRAHAM	MOOERS	PRESCOTT	VALENTINE
BERRY	HALLIDAY	NEILSON	REYNOLDS	WADSWORTH
BRUNDAGE	HEPBURN	NORTH	ROWLAND	WARING
CASE	HOLBROOK	NOYES	SEWELL	WEMPLE
CHAPPELL	HOYT	PALMER	SHEARD	WHELLER
CHASE	KEEGAN	PARKER	SHELDON	WILLIAMS
CLAPP	KELLOGG	PATTENGILL	SKINNER	WILLIS
CLARK	KERN	CICERO C. PECK	SUTHERLAND	WINCH
CORMACK	LOWING			

Mr. Holahan moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

Mr. Brooks offered, for the consideration of the House, a privileged resolution in the words following:

Whereas, It having been stated by the member from Jefferson, the Hon. Charles R. Skinner, and substantially indorsed by the member from Franklin, the Hon. John I. Gilbert, that members of this House have received money, or its equivalent, for their votes on the Holahan excise bill, now before the House; be it, therefore,

Resolved, That the committee on privileges and elections be required to investigate the charge, and report the facts to the House, and that they be authorized to send for persons and papers.

Mr. Brooks called for the stenographer's notes, as to the words of Mr. Skinner, as follows:

"I have noticed, within the past two weeks, that men who hang around the city of Albany, who have hung around the city of Albany as a business for the last twenty years, have been skulking about the back doors of this institution, in that room yonder, calling members from the floor of this House, where their duty lay, and giving them something more substantial than the arguments of logic."

Mr. Fish moved to amend said resolution by inserting, after the word "House," the following:

"And whether any money has been raised by brewers or liquor dealers, or associations composed of them, to affect legislation this winter; and whether the temperance societies of the State have furnished any money to influence legislation at this session."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution of Mr. Brooks, as amended by Mr. Fish, and it was determined in the affirmative, as follows:

AYES 82.

NOES 6.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HENRY	NELSON	SHELDON
ALLEN	CURRAN	HOBBIE	NIVEN	SKINNER
ALVORD	DALY	HOLAHAN	NOYES	SLITER

ANDREWS	DAY	HURD	PARKER	STRACK
ASTOR	DEYOE	JONES	PATTERSON	SUTHERLAND
BEARD	DUELL	KEATOR	CICERO C. PECK	E. TAYLOR
BERGEN	FISH	KEEGAN	DEWITT C. PECK	TERRY
BERRIGAN	FITZGERALD	KELLOGG	PEEK	THAIN
BERRY	FLOYD-JONES	MAPES	PIPER	THOMSON
BROOKS	FLYNN	MATTISON	PRESCOTT	TOWNSLEY
BROWNING	FOSTER	MCDONOUGH	PURDY	WARING
BURNS	GALVIN	MEAD	ROBERTS	WHEELER
CASE	GILBERT	MEKEEL	ROWLAND	WILBOR
CHAPPELL	GRIGGS	MOOERS	SEARING	WILLIAMS
CORMACK	HALLIDAY	MEYENBORG	SEEBACHER	WILLIS
COSAD	HAMILTON	NEILSON	SHEARD	WINCH
CRAWFORD	I. I. HAYES			

Those who voted in the negative, were

BRUNDAGE	PATTENGILL	POOL	VALENTINE	WADSWORTH
CHASE				

Mr. Terry gave notice that he would bring up the contested seat case of Fordham Morris against Ambrose H. Purdy to morrow morning, immediately after the reading of the journal.

The bill entitled "An act relating to the public place or square known as Washington park in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	J. HAYES	NELSON	STRACK
ALLEN	CURRAN	HENRY	NIVEN	SUTHERLAND
ALVORD	DALY	HOLAHAN	NORTH	E. TAYLOR
ANDREWS	DAY	HOLBROOK	PALMER	TERRY
ASTOR	DEYOE	HOYT	PARKER	THAIN
BEARD	DUELL	JONES	CICERO C. PECK	THOMSON
BERGEN	FISH	KEEGAN	DEWITT C. PECK	TOWNSLEY
BERRIGAN	FITZGERALD	KELLOGG	PIPER	VALENTINE
BOUCK	FLOYD-JONES	KERN	PRESCOTT	WADSWORTH
BROOKS	FLYNN	LANGNER	PURDY	WARING
BROWNING	FOSTER	LOVELAND	ROBERTS	WEMPLE
BRUNDAGE	GALVIN	LOWING	SEARING	WILBOR
CASE	GILBERT	MATTISON	SEWELL	WILLIAMS
CHAPPELL	GRADY	MCDONOUGH	SHEARD	WILLIS
CLAPP	GRAHAM	J. H. MILLER	SHELDON	WINCH
CLARK	HALLIDAY	S. V. R. MILLER	SKINNER	WORTH
CORMACK	I. I. HAYES	MEYENBORG	SLITER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Valentine offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill No. 417, entitled "An act to create a board of charities in the several counties of this State," be recommitted to the committee on internal affairs, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend chapter 476 of the Laws of 1875, entitled 'An act to provide for a uniform system for the repavement of streets, avenues and public places in the city of New York.'"

"An act to provide for a new school-house in the town of Gravesend, Kings county, State of New York."

"An act to authorize the common council of the city of Lockport to raise by tax the sum of five hundred dollars, to be expended in purchasing a hose-carriage to be placed in the Second ward of said city."

"An act to alter the map or plan of Long Island City, in respect to certain streets in the Third and Fourth wards thereof."

"An act in relation to solicitors of passengers in the cities of New York and Brooklyn."

"An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies.'"

"An act to secure the owners or keepers of breeding stallions and jackasses for the services of the same."

"An act to amend chapter 245 of the Laws of 1875, entitled 'An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Portchester,' and to amend chapter 227 of the Laws of 1877.'"

"An act for the protection of fish in Esopus creek and its tributaries, in the county of Ulster."

"An act to repeal chapter 577 of the Laws of 1864, and all acts amendatory thereof."

"An act in relation to the election of officers in certain school districts."

"An act to amend chapter 523, Laws of 1870, entitled 'An act to incorporate the village of New Berlin, in Chenango county, and to repeal the present charter.'"

"An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

"An act to prevent accidents on railroads operated by steam power in the State of New York."

"An act to amend chapter 176 of the Laws of 1872, entitled 'An act in relation to the village of Canandaigua, and to provide a police justice and police constables in said village, and defining their jurisdiction, powers and duties.'"

"An act to repeal chapter 418 of the Laws of 1870, entitled 'An act to provide for the payment of the board of vagrants committed to the alms-house of the city and town of Newburgh.'"

"An act to reappropriate certain moneys in the treasury of the State, heretofore appropriated for the improvement of the Champlain canal."

"An act to extend the term of the corporate existence of "The Middletown and Wurtzboro Turnpike Company."

The bill entitled "An act changing the name of the Eagle Fire Engine and Hose Company No. 1, of Butternuts," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 58.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CURRAN	HENRY	NORTH	SUTHERLAND
ALVORD	DALY	HOYT	PALMER	E. TAYLOR
ASTOR	DEYOE	HURD	PARKER	TERRY
BAKER	DUELL	KEEGAN	DEWITT C. PECK	WADSWORTH

BATHE	FISH	KELLOGG	PIPER	WARING
BEARD	FITZGERALD	LANGNER	PRESCOTT	WEMPLE
BERGEN	FLOYD-JONES	LOVELAND	PROPER	WILBOR
BERRY	FOSTER	LOWING	ROBERTS	WILLIAMS
BOUCK	GALVIN	MEAD	SEARING	WILLIS
BROOKS	GRADY	MEKEEL	SHELDON	WINCH
CLAPP	HALLIDAY	NELSON	SKINNER	WORTH
CLARK	HAMILTON	NIVEN		

Mr. Worth moved to reconsider the vote by which said bill was lost, and that the same be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

The bill entitled "An act to facilitate the collection of unpaid taxes in Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOBBIE	NIVEN	SHELDON
ALLEN	CURRAN	HOYT	NORTH	SKINNER
ALVORD	DALY	HURD	NOYES	STRACK
BAKER	DAY	JONES	PALMER	SUTHERLAND
BATHE	DUELL	KEEGAN	PARKER	E. TAYLOR
BEARD	FISH	KELLOGG	PATTENGILL	TERRY
BERGEN	FITZGERALD	KERN	CICERO C. PECK	THOMSON
BERRY	FLOYD-JONES	LOVELAND	DEWITT C. PECK	WADSWORTH
BOUCK	FLYNN	LOWING	PIPER	WARING
BROOKS	FOSTER	MAPES	PRESCOTT	WEMPLE
BROWNING	GALVIN	MATTISON	PROPER	WHEELER
BRUNDAGE	GILBERT	MEKEEL	ROBERTS	WILBOR
CASE	GRADY	J. H. MILLER	ROWLAND	WILLIAMS
CHAPPELL	HALLIDAY	S. V. R. MILLER	SEWELL	WILLIS
CLAPP	HAMILTON	MOOERS	SHANLEY	WINCH
CLARK	HAVENS	NELSON	SHEARD	WORTH
CRAWFORD	I. I. HAYES			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the sales of personal property, to be paid for in installments, in the cities of New York and Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	NOYES	STRACK
ALLEN	CRAWFORD	HOLBROOK	PALMER	SUTHERLAND
ALVORD	DALY	HOYT	CICERO C. PECK	E. TAYLOR
BAKER	DOUGLASS	JONES	DEWITT C. PECK	TERRY
BATHE	DUELL	KELLOGG	PIPER	THAIN
BEARD	FISH	KERN	PRESCOTT	THOMSON
BERGEN	FITZGERALD	LOVELAND	ROBERTS	WADSWORTH
BERRY	FLOYD-JONES	LOWING	ROWLAND	WARING
BROOKS	FOSTER	MAPES	SEARING	WEMPLE
BROWNING	FRANK	MATTISON	SEEBACHER	WHEELER

BRUNDAGE	GALVIN	MEKEEL	SEWELL	WILBOR
CASE	GILBERT	S. V. R. MILLER	SHANLEY	WILLIAMS
CHAPPELL	HALLIDAY	MOORE'S	SHEARD	WILLIS
CLANCY	HAVENS	MEYENBORG	SHELDON	WINCH
CLAPP	I. I. HAYES	NIVEN	SKINNER	WORTH
CLARK	HENRY	NORTH		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Hoyt moved that this House take a recess until 4 o'clock and 30 minutes this afternoon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 1 o'clock and 25 minutes, the House took a recess until 4 o'clock and 30 minutes this afternoon.

HALF - PAST FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker announced, pursuant to ninth joint rule, the order of business, third reading of bills.

The bill entitled "An act to amend 'An act to provide for a uniform system for the repavement of streets, avenues and public places in the city of New York,' passed May 28, 1875," having been announced for a third reading,

On motion of Mr. Daly, and by unanimous consent, said bill was laid on the table.

Mr. Speaker directed the Clerk to call the roll and ascertain if a quorum was present, when the following gentlemen answered to their names:

ABBOTT	CORMACK	HEPBURN	NOYES	SHELDON
ALLEN	CROWLEY	HOBBIE	PATTENGILL	SKINNER
ALVORD	CURRAN	HOLBROOK	PATTERSON	SUTHERLAND
BEARD	DALY	HOYT	CICERO C. PECK	J. T. TAYLOR
BERGEN	FISH	KEATOR	DEWITT C. PECK	TERRY
BERRIGAN	FLOYD-JONES	KERN	PEEK	THAIN
BROOKS	FOSTER	LANGNER	PIPER	THOMSON
BROWNING	GALVIN	LOVELAND	POOL	TOWNSLEY
CASE	GILBERT	LOWING	PRESCOTT	WARING
CHAPPELL	GRADY	J. H. MILLER	REYNOLDS	WEMPLE
CHASE	GRAHAM	MEYENBORG	ROBERTS	WHEELER
CLANCY	GRIGGS	NELSON	SEARING	WILBOR
CLAPP	HALLIDAY	NIVEN	SHEARD	WINCH
CONVERSE	HAVENS			

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A quorum being present,

The bill entitled "An act to provide for a new school-house in the town of Gravesend, Kings county, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	KEATOR	PATTERSON	SUTHERLAND
ALLEN	FISH	KERN	CICERO C. PECK	E. TAYLOR

ALVORD	FLOYD-JONES	LANGNER	DEWITT C. PECK	J. T. TAYLOR
BEARD	FOSTER	LOVELAND	PEEK	TERRY
BERGEN	GALVIN	LOWING	PIPER	THAIN
BERRIGAN	GILBERT	MAPES	POOL	THOMSON
BROOKS	GRADY	MCDONOUGH	PRESCOTT	TOWNSLEY
BROWNING	GRAHAM	MEAD	REYNOLDS	WARING
CASE	GRIGGS	MEKEEL	ROBERTS	WEMPLE
CHAPPELL	HALLIDAY	MOOERS	SEARING	WHEELER
CHASE	HAVENS	MEYENBORG	SEEBACHER	WILBOR
CLANCY	HEPBURN	NELSON	SEWELL	WILLERS
CONVERSE	HOBBIE	NIVEN	SHEARD	WILLIS
CORMACK	HOLAHAN	NOYES	SHELDON	WINCH
CROWLEY	HOLBROOK	PARKER	SKINNER	WORTH
CURRAN	HOYT	PATTENGILL	STRACK	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to reappropriate certain moneys in the treasury of the State heretofore appropriated for the improvement of the Champlain canal," having been announced for a third reading,

On motion of Mr. Terry, and by unanimous consent, said bill was amended by adding, at the end of section 1, the words "and provided further, however, that the Canal Board shall have power to set aside a portion of the sum herein reappropriated for the rebuilding of locks necessary to be rebuilt, to secure the benefits of the increased depth of water, for which provision is made in this bill."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOYT	PARKER	STRACK
ALLEN	CROWLEY	JONES	PATTENGILL	SUTHERLAND
ALVORD	CURRAN	KEATOR	CICERO C. PECK	E. TAYLOR
ANDREWS	DALY	KELLOGG	DEWITT C. PECK	J. T. TAYLOR
BEARD	DUELL	KERN	PEEK	TERRY
BERGEN	FISH	LANGNER	PIPER	THAIN
BERRIGAN	FLOYD-JONES	LOVELAND	POOL	THOMSON
BERRY	FOSTER	LOWING	PRESCOTT	TOWNSLEY
BROOKS	GALVIN	MAPES	REYNOLDS	VALENTINE
BROWNING	GILBERT	MEAD	ROBERTS	WADSWORTH
BRUNDAGE	GRADY	J. H. MILLER	ROWLAND	WARING
CASE	GRAHAM	MEYENBORG	SEARING	WEMPLE
CHAPPELL	GRIGGS	NELSON	SEWELL	WHEELER
CHASE	HALLIDAY	NELSON	SHEARD	WILBOR
CLANCY	HAVENS	NIVEN	SHELDON	WILLIAMS
CLAPP	HEPBURN	NORTH	SKINNER	WILLIS
CONVERSE	HOBBIE	NOYES	STORY	WINCH
CORMACK	HOLBROOK			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the common council of the city of Lockport to raise by tax the sum of five hundred dollars, to be expended in purchasing a hose carriage, to be placed in the Second ward of said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 85. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	NIVEN	SKINNER
ALLEN	COSAD	HOLBROOK	NOYES	STRACK
ALVORD	CRAWFORD	HURD	PARKER	SUTHERLAND
ANDREWS	CROWLEY	JONES	PATTENGILL	E. TAYLOR
BAKER	CURRAN	KEEGAN	PATTERSON	J. T. TAYLOR
BEARD	DUELL	KELLOGG	DEWITT C. PECK	TERRY
BERGEN	FISH	KERN	PEEK	THAIN
BERRY	FLOYD-JONES	LANGNER	PIPER	THOMSON
BROOKS	FOSTER	LOVELAND	POOL	TOWNSLEY
BROWNING	GALVIN	LOWING	PRESCOTT	WARING
BRUNDAGE	GILBERT	MATTISON	REYNOLDS	WEMPLE
CASE	GRADY	MCDONOUGH	ROBERTS	WHEELER
CHAPPELL	GRAHAM	MEAD	SEARING	WILBOR
CHASE	GRIGGS	J. H. MILLER	SEEBACHER	WILLERS
CLANCY	HALLIDAY	MEYENBORG	SEWELL	WILLIAMS
CLARK	HAVENS	NEILSON	SHEARD	WILLIS
CONVERSE	HEPBURN	NELSON	SHELDON	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The privileges of the floor were granted to the Hon. James J. Mooney.

The bill entitled "An act to alter the map or plan of Long Island City, in respect to certain streets in the Third and Fourth wards thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 90. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	NIVEN	SEWELL
ALLEN	COSAD	HOLBROOK	NORTH	SHEARD
ALVORD	CRAWFORD	HOYT	NOYES	SHELDON
ANDREWS	CROWLEY	HURD	PALMER	SKINNER
BAKER	CURRAN	JONES	PARKER	SUTHERLAND
BEARD	DALY	KEATOR	PATTENGILL	E. TAYLOR
BERGEN	DOUGLASS	KELLOGG	CICERO C. PECK	J. T. TAYLOR
BERRIGAN	DUELL	KERN	DEWITT C. PECK	TERRY
BERRY	FISH	LANGNER	PEEK	THOMSON
BROOKS	FLOYD-JONES	LOVELAND	PIPER	TOWNSLEY
BROWNING	FLYNN	LOWING	POOL	WARING
BRUNDAGE	FOSTER	MATTISON	PRESCOTT	WEMPLE
CASE	GALVIN	MEAD	PURDY	WHEELER
CHAPPELL	GRADY	MEKEEL	REYNOLDS	WILBOR
CHASE	GRAHAM	J. H. MILLER	ROBERTS	WILLERS
CLANCY	GRIGGS	MEYENBORG	ROWLAND	WILLIAMS
CLARK	HAVENS	NEILSON	SEARING	WILLIS
CONVERSE	HEPBURN	NELSON	SEEBACHER	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bills entitled as follows:

"An act to amend chapter 458 of the Laws of 1863, entitled 'An act amending the charter of the village of Glen's Falls, and empowering

the trustees thereof to supply said village with pure and wholesome water," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Abbott, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOLAHAN	NEILSON	SEWELL
ALLEN	CURRAN	HOLBROOK	NELSON	SHEARD
ALVORD	DALY	HOYT	NIVEN	SHELDON
ANDREWS	DEYOE	JONES	NORTH	SKINNER
BAKER	DOUGLASS	KEEGAN	NOYES	SUTHERLAND
BEARD	DUELL	KELLOGG	PARKER	E. TAYLOR
BERGEN	FISH	KERN	PATTENGILL	J. T. TAYLOR
BERRY	FLOYD-JONES	LANGNER	CICERO C. PECK	TERRY
BOUCK	FLYNN	LOVELAND	DEWITT C. PECK	THOMSON
BROOKS	FOSTER	LOWING	PEEK	TOWNSLEY
BROWNING	GRADY	MAPES	POOL	VALENTINE
BRUNDAGE	GRAHAM	MATTISON	PRESCOTT	WARING
CASE	GRIGGS	MCDONOUGH	REYNOLDS	WEMPLE
CHAPPELL	HAMILTON	MEAD	ROBERTS	WILBOR
CHASE	HAVENS	J. H. MILLER	ROWLAND	WILLERS
CLARK	J. HAYES	MOOERS	SEARING	WILLIS
CONVERSE	HOBBIE	MEYENBORG	SEEBACHER	WINCH
CORMACK				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

"An act to authorize county judge of Allegany county to appoint four constables in and for the town of Scio, in said county of Allegany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act relating to the disposition of the prism and banks of the Crooked Lake canal," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sheard, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 86.

NOES 16.

Those who voted in the affirmative, were

ABBOTT	COSAD	GRIGGS	MEAD	SEARING
ALLEN	CRAWFORD	HALLIDAY	MEKEEL	SEEBACHER
ALVORD	CROWLEY	HAVENS	J. H. MILLER	SEWELL
ANDREWS	CURRAN	J. HAYES	S. V. R. MILLER	SHEARD
BAKER	DALY	HENRY	MOOERS	SHELDON
BEARD	DEYOE	HEPBURN	NEILSON	SUTHERLAND
BERGEN	DOUGLASS	HOBBIE	NELSON	E. TAYLOR
BERRIGAN	DUELL	HOLAHAN	NIVEN	J. T. TAYLOR
BERRY	FISH	HOLBROOK	NORTH	TERRY
BROWNING	FITZGERALD	HOYT	NOYES	THOMSON
BRUNDAGE	FLOYD-JONES	HURD	PARKER	VALENTINE
CASE	FLYNN	JONES	PEEK	WARING

CHAPPELL	FRANK	KERN	PIPER	WEMPLE
CHASE	GALVIN	LOVELAND	POOL	WHEELER
CLANCY	GILBERT	LOWING	PURDY	WILBOR
CLARK	GRADY	MAPES	ROBERTS	WILLIS
CONVERSE	GRAHAM	MCDONOUGH	ROWLAND	WINCH
CORMACK				

Those who voted for the negative, were

BOUCK	KELLOGG	MEYENBORG	DEWITT C. PECK	THAIN
BROOKS	LANGNER	PATTENGILL	PRESCOTT	TOWNSLEY
FOSTER	MATTISON	CICERO C. PECK	SKINNER	WILLERS
KEATOR				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution in the words following :

Resolved, That a respectful message be sent to the honorable the Assembly requesting the return, for amendment, of Senate bill No. 124, entitled "An act to amend chapter 411 of the Laws of 1877, entitled 'An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

Also, the bill entitled as follows :

"An act to amend chapter 176 of the Laws of 1831, entitled 'An act incorporating the University of the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent,

Mr. Griggs introduced a bill entitled "An act to extend the time for the completion of the New York and Albany railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The bill entitled "An act in relation to solicitors of passengers in the cities of New York and Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOYT	NIVEN	SHEARD
ALLEN	COSAD	HURD	NOYES	SHELDON
ALVORD	CROWLEY	JONES	PARKER	SKINNER
ANDREWS	CURRAN	KEATOR	PATTENGILL	STRACK
BAKER	DUELL	KELLOGG	CICERO C. PECK	SUTHERLAND
BEARD	FITZGERALD	KERN	DEWITT C. PECK	J. T. TAYLOR
BERGEN	FLOYD-JONES	LANGNER	PEEK	TERRY
BERRIGAN	FOSTER	LOVELAND	PRESCOTT	THAIN
BERRY	GRADY	LOWING	PROPER	THOMSON
BOUCK	GRIGGS	MATTISON	PURDY	VALENTINE
BROWNING	HAMILTON	MEAD	REYNOLDS	WARING
BRUNDAGE	HAVENS	J. H. MILLER	ROBERTS	WEMPLE
CASE	I. I. HAYES	MOOERS	ROWLAND	WILBOR
CHAPPELL	HENRY	MEYENBORG	SEARING	WILLIAMS
CHASE	HOBBIE	NEILSON	SEEBACHER	WILLIS
CLARK	HOLAHAN	NELSON	SEWELL	WINCH
CONVERSE	HOLBROOK			

Those who voted in the negative, were

DALY

FISH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLBROOK	NIVEN	SHELDON
ALLEN	CURRAN	HOYT	PARKER	SKINNER
ALVORD	DOUGLASS	HURD	PATTENGILL	SUTHERLAND
ANDREWS	DUELL	JONES	CICERO C. PECK	J. T. TAYLOR
BAKER	FISH	KELLOGG	PEEK	TERRY
BEARD	FITZGERALD	KERN	POOL	THAIN
BERRIGAN	FLOYD-JONES	LANGNER	PRESCOTT	THOMSON
BERRY	FOSTER	LOVELAND	PROPER	VALENTINE
BOUCK	GALVIN	LOWING	PURDY	WARING
BROOKS	GRADY	MATTISON	REYNOLDS	WEMPLE
BROWNING	HALLIDAY	MCDONOUGH	ROBERTS	WHEELER
BRUNDAGE	HAVENS	MEAD	ROWLAND	WILBOR
CASE	I. I. HAYES	MEKEEL	SEARING	WILLIAMS
CHAPPELL	HENRY	J. H. MILLER	SEWELL	WILLIS
CHASE	HEPBURN	NEILSON	SHANLEY	WINCH
CLARK	HOBBIE	NELSON	SHEARD	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to secure the owners or keepers of breeding stallions and jackasses for the services of same," having been announced for a third reading,

Mr. Hepburn moved to recommit said bill to the committee on agriculture, with instructions to amend the same by adding a new section in the words following, and report forthwith :

"§ 7. This act shall not apply to the counties of St. Lawrence, Schuyler, Steuben, Greene, Franklin, Putnam and Monroe."

Mr. Allen moved to further instruct said committee to amend said bill by striking out all the counties of the State, excepting Oneida and Orange.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Allen, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hepburn, and it was determined in the negative.

Mr. Holahan moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 67.

NOES 36.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	I. I. HAYES	MOOERS	SKINNER
ALLEN	CORMACK	HENRY	MEYENBORG	J. T. TAYLOR
ALVORD	COSAD	HOLAHAN	NELSON	THOMSON
BAKER	CRAWFORD	HOLBROOK	NORTH	TOWNSLEY
BEARD	DALY	HOYT	NOYES	VALENTINE
BERGEN	DAY	HURD	POOL	WARING
BERRIGAN	DOUGLASS	JONES	PRESCOTT	WEMPLE
BERRY	DUELL	KELLOGG	PURDY	WHEELER
BOUCK	FISH	KERN	ROBERTS	WILBOR
BROOKS	FLOYD-JONES	LANGNER	SEEBACHER	WILLERS
BROWNING	FOSTER	MCDONOUGH	SEWELL	WILLIAMS
BRUNDAGE	GALVIN	MEAD	SHEARD	WILLIS
BURNS	GRAHAM	MEKEEL	SHELDON	WORTH
CASE	GRIGGS			

Those who voted in the negative, were

ANDREWS	GILBERT	KEATOR	NIVEN	ROWLAND
CHAPPELL	GRADY	LOVELAND	PARKER	SEARING
CHASE	HALLIDAY	LOWING	PATTENGILL	STORY
CLANCY	HAMILTON	MAPES	CICERO C. PECK	SUTHERLAND
CURRAN	HAVENS	MATTISON	DEWITT C. PECK	TERRY
DEYOE	HEPBURN	J. H. MILLER	PROPER	THAIN
FITZGERALD	HOBBIE	NELSON	REYNOLDS	WINCH
FLYNN				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 245 of the Laws of 1875, entitled 'An act to amend chapter 818 of the Laws of 1868, entitled An act to incorporate the village of Port Chester,' and to amend chapter 227 of the Laws of 1877," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	I. I. HAYES	MEKEEL	SHELDON
ALLEN	CORMACK	HENRY	MOOERS	SKINNER
ALVORD	COSAD	HEPBURN	NELSON	STORY
ANDREWS	CRAWFORD	HOBBIE	NIVEN	SUTHERLAND
BAKER	CURRAN	HOLBROOK	NOYES	E. TAYLOR
BEARD	DEYOE	HOYT	PARKER	J. T. TAYLOR
BERGEN	DUELL	HURD	PATTENGILL	THAIN
BERRY	FISH	JONES	DEWITT C. PECK	THOMSON
BOUCK	FITZGERALD	KEEGAN	PRESCOTT	VALENTINE
BROOKS	FLOYD-JONES	KERN	PROPER	WARING
BROWNING	FOSTER	LANGNER	PURDY	WEMPLE
BRUNDAGE	GALVIN	LOVELAND	ROBERTS	WILBOR
CASE	GILBERT	MAPES	ROWLAND	WILLERS
CHAPPELL	GRIGGS	MATTISON	SEARING	WILLIAMS
CHASE	HALLIDAY	MEAD	SHEARD	WINCH
CLARK	HAMILTON			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the protection of fish in Esopus creek and its tributaries in the county of Ulster," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CORMACK	HENRY	NIVEN	SKINNER
ALVORD	COSAD	HOBBIE	NORTH	STORY
ANDREWS	CRAWFORD	HOLAHAN	NOYES	SUTHERLAND
BAKER	CURRAN	HOYT	PALMER	E. TAYLOR
BEARD	DUELL	HURD	PARKER	J. T. TAYLOR
BERGEN	FISH	JONES	PATTENGILL	TERRY
BERRIGAN	FITZGERALD	KEEGAN	DEWITT C. PECK	THAIN
BERRY	FLOYD-JONES	KERN	PEEK	THOMSON
BOUCK	FOSTER	LANGNER	POOL	WEMPLE
BROOKS	GALVIN	LOWING	PRESCOTT	WILBOR
BROWNING	GILBERT	MATTISON	REYNOLDS	WILLERS
BRUNDAGE	GRIFFS	MEAD	ROBERTS	WILLIAMS
CASE	HALLIDAY	MEKEEL	ROWLAND	WILLIS
CHAPPELL	HAMILTON	MOOERS	SEARING	WINCH
CHASE	HAVENS	MEYENBORG	SEWELL	WORTH
CLARK	I. I. HAYES	NELSON	SHEARD	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Brooks, Int. No. 864, entitled "An act to amend an act passed May 19, 1875, entitled 'An act to amend an act entitled An act to incorporate the village of New Brighton,' passed April 20, 1867, and amended April 27, 1871, March 27, 1872 and May 14, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Oakley, Int. No. 118, entitled "An act to legalize and confirm the official acts of the trustees of the village of New Brighton," reported adversely thereto.

Mr. Brooks moved that said report be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Piper, Int. No. 857, entitled "An act to amend chapter 783 of the Laws of 1871, entitled 'An act relating to building bridges in the village of Niagara Falls,' and the act amendatory thereof, being chapter 430 of the Laws of 1872," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Neilson, Int. No. 791, entitled "An act to extend the charter of the Saratoga Lake Bridge Company," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Berry presented a report from the sub-committee of the whole; which was laid upon the table and ordered printed.

(See Doc. No. 116.)

Mr. Terry offered, for the consideration of the House, a privileged resolution in the words following :

Whereas, Testimony must be taken in the investigation ordered by the House on the resolution of the Hon. Erastus Brooks,

Resolved, That the committee on privileges and elections be, and it is hereby authorized to employ Frederick Carman as stenographer in such investigation, and that he be paid for his services, including the making of one copy of the proceedings in plain handwriting, the sum of fifteen cents per folio; and that the said committee is hereby authorized to hold sessions and take testimony outside the city of Albany and to, have the proceedings printed.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, as follows :

AYES 68.

NOES 21.

Those who voted in the affirmative, were

ANDREWS	CRAWFORD	HOYT	NIVEN	SHEARD
BAKER	DAY	HURD	NOYES	SHELDON
BATHE	DEYOE	JONES	PALMER	SKINNER
BERGEN	DUELL	KELLOGG	CICERO C. PECK	SUTHERLAND
BERRIGAN	FISH	LANGNER	DEWITT C. PECK	E. TAYLOR
BERRY	FLYNN	LOVELAND	PEEK	J. T. TAYLOR
BROOKS	FOSTER	MAPES	PIPER	TERRY
BROWNING	GALVIN	MATTISON	PRESCOTT	VALENTINE
BURNS	GILBERT	MEAD	PROPER	WARING
CASE	GRADY	MEKEEL	PURDY	WEMPLE
CHAPPELL	GRIGGS	MOOERS	REYNOLDS	WHEELER
CLANCY	HALLIDAY	MEYENBORG	ROWLAND	WILLIAMS
CONVERSE	HAMILTON	NEILSON	SEEBACHER	WORTH
COSAD	HOLAHAN	NELSON		

Those who voted in the negative, were

ALVORD	FLOYD-JONES	LOWING	ROBERTS	WILBOR
BOUCK	HAVENS	J. H. MILLER	SEWELL	WILLERS
BRUNDAGE	HENRY	PATTENGILL	STORY	WILLIS
CLARK	HOLBROOK	POOL	THOMSON	WINCH
CORMACK				

The bill entitled "An act to repeal chapter 577 of the Laws of 1864, and all acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOLAHAN	NORTH	SKINNER
ALLEN	CRAWFORD	HOLBROOK	PALMER	SUTHERLAND
ALVORD	CURRAN	HOYT	PATTENGILL	E. TAYLOR
ANDREWS	DAY	HURD	DEWITT C. PECK	J. T. TAYLOR
BAKER	DUELL	JONES	PEEK	TERRY
BATHE	FISH	KELLOGG	PIPER	THAIN
BEARD	FLOYD-JONES	LOVELAND	POOL	THOMSON
BERGEN	FLYNN	LOWING	PRESCOTT	VALENTINE
BERRY	FOSTER	MATTISON	PROPER	WARING
BOUCK	GILBERT	MEAD	REYNOLDS	WEMPLE

BROOKS	GRADY	MEKEEL	ROBERTS	WILBOR
BRUNDAGE	GRIGGS	MOOERS	ROWLAND	WILLERS
BURNS	HALLIDAY	MEYENBORG	SEARING	WILLIAMS
CHAPPELL	HAMILTON	NEILSON	SEWELL	WILLIS
CHASE	HAVENS	NELSON	SHEARD	WINCH
CLAPP	I. I. HAYES	NIVEN	SHELDON	WORTH
CONVERSE	HOBBIE			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the election of officers in certain school districts," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 53.

NOES 33.

Those who voted in the affirmative, were

ABBOTT	CHASE	HALLIDAY	NIVEN	SKINNER
ALLEN	CONVERSE	HAMILTON	NORTH	SUTHERLAND
ALVORD	CORMACK	HOBBIE	NOYES	J. T. TAYLOR
ANDREWS	COSAD	HOLAHAN	PARKER	TERRY
BAKER	DAY	HOLBROOK	PATTENGILL	THAIN
BERRIGAN	DEYOE	HURD	DEWITT C. PECK	VALENTINE
BOUCK	DUELL	KELLOGG	PIPER	WARING
BROOKS	FISH	KERN	POOL	WILBOR
BRUNDAGE	GALVIN	LANGNER	PURDY	WILLIAMS
CASE	GILBERT	MEAD	SHEARD	WILLIS
CHAPPELL	GRAHAM	MOOERS		

Those who voted in the negative, were

BATHE	CURRAN	JONES	PALMER	SEARING
BEARD	DOUGLASS	KEATOR	CICERO C. PECK	E. TAYLOR
BERGEN	FLOYD-JONES	LOVELAND	PEEK	THOMSON
BERRY	FOSTER	LOWING	PRESCOTT	WILLERS
BROWNING	GRADY	MAPES	REYNOLDS	WINCH
CLARK	GRIGGS	MATTISON	ROBERTS	WORTH
CRAWFORD	HAVENS	NELSON		

Mr. Alvord moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

The Senate sent for concurrence the following entitled bills :

"An act to release the interest of the people of the State of New York in and to certain surplus moneys arising upon the sale of certain land, of which Dedrick Harth died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the petitions of aliens.

"An act to enable Charles Lanel and his successor to take and hold real estate in the State of New York as trustee, and to sell and convey the same within a limited period, notwithstanding his alienage," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

"An act to prevent the avoiding or passing the gate of the Halfmoon Bridge Company without payment of toll," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act legalizing certain acts of the present and former surrogates of the counties of New York and Kings, and of their assistants, and conferring certain powers on the clerks to the surrogates' courts of said counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the improvement of the Croton aqueduct in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act relating to the assessment for Prospect park, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on affairs of cities.

"An act concerning the limits and jurisdiction of the State of New York and the State of Connecticut," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on federal relations.

"An act declaring both branches of the Oswegatchie river, in the towns of Croghan and Diana, Lewis county, public highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned the following entitled bill:

"An act to provide for the incorporation of pipe-line companies."

Ordered, That the Clerk return said bill to the Senate.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act authorizing the courts of oyer and terminer and the courts of sessions of the county of Saratoga to direct payment of clerk hire in certain cases."

"An act limiting the power of the board of education of the city of Oswego in the purchase of school sites and the erection of school-houses."

"An act to amend chapter 104 of the Laws of 1877, entitled 'An act to authorize the treasurer of Monroe county to sell property for unpaid taxes.' "

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the resolution entitled as follows :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 109, entitled "An act to amend an act entitled 'An act to incorporate the city of Newburgh,' passed April 22, 1865, and the several acts amendatory thereof," for the purpose of correction.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Holahan moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 6 o'clock and 25 minutes, the House adjourned.

THURSDAY, APRIL 18, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Battershall.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Sheldon.

Mr. Piper moved to discharge the committee of the whole from the further consideration of Assembly bill entitled "An act to amend chapter 783 of the Laws of 1871, entitled 'An act relating to building bridges in the village of Niagara Falls,' and the act amendatory thereof, being chapter 430 of the Laws of 1872," and that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOLAHAN	NELSON	SHEARD
ALLEN	CURRAN	HOLBROOK	NIVEN	SHELDON
ALVORD	DALY	HOYT	NOYES	SKINNER
ASTOR	DUELL	HURD	PALMER	SLITER
BAKER	FISH	JONES	PARKER	SUTHERLAND
BEARD	FITZGERALD	KEATOR	PATTENGILL	E. TAYLOR
BERGEN	FLOYD-JONES	KEEGAN	CICERO C. PECK	THAIN
BERRIGAN	FOSTER	KELLOGG	DEWITT C. PECK	THOMSON
BERRY	GALVIN	KING	PEEK	TOWNSLEY
BOUCK	GILBERT	LANGNER	PIPER	VALENTINE
BROOKS	GRADY	LOVELAND	PRESCOTT	WARING
BROWNING	GRAHAM	LOWING	PROPER	WEMPLE
BRUNDAGE	GRIGGS	MAPES	REYNOLDS	WILBOR
CASE	HALLIDAY	MATTISON	ROBERTS	WILLERS
CHAPPELL	HAVENS	J. H. MILLER	ROWLAND	WILLIAMS
CLANCY	J. HAYES	S. V. R. MILLER	SAWYER	WILLIS
CLARK	HENRY	MEYENBORG	SEEBACHER	WINCH
CORMACK	HOBBIE	NEILSON		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Berry introduced a bill entitled "An act to amend chapter 789 of the Laws of 1870, entitled 'An act to amend chapter 907 of the Laws of 1869, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Langner introduced a bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Also, a bill entitled "An act to amend an act entitled 'An act to establish a department of police in the city of Buffalo, and to provide for the government thereof,' passed April 26, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. McDonough introduced a bill entitled "An act to provide for the proper lighting of the structures of the elevated railways in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent,

Mr. Mattison introduced a bill entitled "An act to repeal section 1, chapter 626, Laws of 1853, relating to the assessment of highway labor along the line of plank and turnpike roads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Brooks introduced a bill entitled "An act to change the location of the court-house and clerk's office of Richmond county by a majority vote of the board of supervisors of said county, and a vote of approval by the electors of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Nelson introduced a bill entitled "An act for the removal of refuse matter in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. Keator introduced a bill entitled "An act to repeal sections 2, 3 and 4 of chapter 296 of the Laws of 1874, entitled 'An act to subject the real and personal property of the New York and Oswego Midland Railroad Company to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal on certain town bonds,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Speaker presented a communication from the Auditor of the Canal Department in response to a resolution of the Assembly relative to the time of the opening of the Champlain canal.

On motion of Mr. Alvord, said communication was laid upon the table.

By unanimous consent,

Mr. Hepburn, from the committee on insurance, reported by bill entitled "An act to amend chapter 241 of the Laws of 1877, entitled 'An act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance,' which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Terry called from the table the report of the committee on privileges and elections on the contested seat of Ambrose H. Purdy, claimed by Fordham Morris, in the words following :

To the Honorable the Assembly :

Your committee on privileges and elections, to which was referred the petition of Fordham Morris, claiming the seat in the Assembly now held and occupied by Ambrose H. Purdy as member of Assembly for the first Assembly district of the county of Westchester, respectfully report :

That the parties and their counsel have appeared before the committee and have all been heard ; that upon the investigations before your committee it was first discovered that the return from the first election district of the city and town of Yonkers, as originally returned by the inspectors of election of that district to the county canvassers, showed that the whole number of votes cast in that election district for member of Assembly was five hundred and six, which were stated in said return as follows :

Ambrose H. Purdy received three hundred and eight.....	308
Fordham Morris received one hundred and eight	198

506

That said return had no ballots attached to it as required by statute ; that the board of county canvassers of Westchester county, after effecting their organization, caused this return to be taken back to the inspectors of election of that district, as provided by statute, for correction ; that thereupon the inspectors attached to a sheet of paper the specimen ballots so required by statute, and wrote and made return, partly upon said ballots and partly upon said paper, with reference to member of Assembly ; that Ambrose H. Purdy received three hundred and eight votes, like the one so attached, and that Fordham Morris received one hundred and ninety-eight votes, like the one attached, which paper they certified by their signatures as inspectors, and attached to the original return as a part of the same, which original return was then returned to the board of county canvassers, and the vote of that election district was canvassed by them, by giving Mr. Purdy three hundred and eight votes, and Mr. Morris one hundred and ninety-eight.

Your committee, Mr. Piper only dissenting, are of the opinion that the return from the first election district of the city and town of Yonkers was properly canvassed by the county canvassers, by counting three hundred and eight votes for Mr. Purdy and one hundred and ninety-eight votes for Mr. Morris.

Your committee required to be produced before them the original returns of the inspectors of election from each of the election districts in the first Assembly district of the county of Westchester. It was conceded by both parties that the board of county canvassers correctly canvassed and estimated the vote as to member of Assembly in each election district, except the sixth and eighth districts in the Twenty-third ward of the city of New York, and the first district of the city and town of Yonkers.

It appears from the evidence before your committee, that the whole number of votes cast for member of Assembly in this Assembly district was seven thousand two hundred and twenty-two ; that the board of county canvassers, in the canvass of said vote, gave to Ambrose H. Purdy

thirty-six hundred votes, and to Fordham Morris thirty-five hundred and eighty-eight votes, leaving thirty-four votes which were counted for neither in the final canvass, but which appeared by the returns to have been returned to the county canvassers as follows:

In the sixth election district of the Twenty-third ward:

Fordham H. Morris	1
Fordham Morris, irregular	19

In the eighth election district of the Twenty-third ward:

Fordham Morris	13
Ambrose H. Purdy	1

Total	<u>34</u>
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That the nineteen votes returned from the sixth election district "irregular," and not counted for Fordham Morris, were, as appears, returned and not counted for Mr. Morris by the county canvassers, for the reason that the words "of the county of Westchester" were not at the head of the ballot, the same being upon all the other ballots in that election district; that the thirteen votes returned from the eighth election district of the Twenty-third ward, and not counted for Mr. Morris, were rejected for the same reason; and it also appears that in this district one vote was not counted for Ambrose H. Purdy for the same reason.

Your committee are unanimously of the opinion that the words "of the county of Westchester" so omitted from the head of the said ballots were not required as a portion thereof by any law of this State, and that the ballots were complete without them, and that it was the duty of the inspectors of election of the said sixth and eighth districts to have counted and returned the said nineteen and thirteen ballots for Fordham Morris and the said one ballot for Ambrose H. Purdy, and that it was the duty of the board of county canvassers of Westchester county to have counted and estimated the said ballots for Mr. Morris and Mr. Purdy respectively.

If a correct canvass of the whole vote had thus been made, it would have resulted as follows:

Fordham Morris	3,620
Ambrose H. Purdy	3,601
Fordham H. Morris	1
Total	<u>7,222</u>

And that, therefore, the certificate of election should have been awarded by the board of county canvassers to Fordham Morris.

On the part of Mr. Purdy it is insisted, that there were frauds and irregularities in the election in different districts, which he claims he can prove, and by which he asserts he can establish that he was in fact elected.

It is entirely just and proper that Mr. Purdy should be allowed to present any testimony he may have bearing upon the question of his election, and that he should be awarded the seat if he shall be able to prove that he is entitled to it. But it appears to your committee equally just and clear, upon the plainest principles of justice and equity, that Mr. Morris should be awarded his seat at this time, of which he is deprived by a palpable violation of law and duty; and that Mr. Purdy

should be placed in the same position that he would have been in had the county canvassers observed the law and performed their duty.

Your committee therefore report and recommend the adoption of the following resolution :

Resolved, That Fordham Morris is entitled to and is hereby awarded the seat in the Assembly now held and occupied by Ambrose H. Purdy as member of Assembly from the first Assembly district of the county of Westchester, and that the said Ambrose H. Purdy be at liberty to contest such seat if he shall desire to do so.

Dated *February 8*, 1878.

GEORGE L. TERRY,
L. B. KERN.
JAMES G. GRAHAM,
C. D. PRESCOTT,
JOSEPH P. STRACK,
HAMILTON FISH, JR.

Mr. Allen moved to substitute the following resolution :

Whereas, It appears from the evidence taken by the committee on privileges and elections in the case of Morris against Purdy, that Ambrose H. Purdy was duly elected a member of Assembly from the First Assembly district of Westchester; therefore, be it

Resolved, That Ambrose H. Purdy is entitled to retain his seat as a member of this House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Terry moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was decided in the affirmative.

Mr. Speaker then put the question whether the House would agree to the report of the committee on privileges and elections, and it was determined in the negative, as follows :

AYES 43.

NOES 74.

Those who voted in the affirmative, were

ABBOTT	GILBERT	LOVELAND	PRESCOTT	TERRY
ASTOR	GRAHAM	LOWING	REYNOLDS	VALENTINE
BERRY	GRIGGS	MATTISON	SAWYER	WARING
CASE	I. I. HAYES	MEKEEL	SEWELL	WHEELER
CHAPPELL	J. HAYES	S. V. R. MILLER	SKINNER	WILBOR
CLAPP	HEPBURN	MOOERS	STRACK	WILLIAMS
DALY	JONES	NOYES	SUTHERLAND	WINCH
DEYOE	KERN	DEWITT C. PECK	E. TAYLOR	SPEAKER
DUELL	KING	PEEK		

Those who voted in the negative, were

ALLEN	CLARK	HAMILTON	J. H. MILLER	SEARING
ALVORD	CONVERSE	HAVENS	MEYENBORG	SEEBACHER
ANDREWS	CORMACK	HENRY	NELSON	SHANLEY
BAKER	COSAD	HOBBIE	NELSON	SHEARD
BATHE	CRAWFORD	HOLAHAN	NIVEN	SHELDON
BEARD	CROWLEY	HOLBROOK	PALMER	SLITER
BERGEN	CURRAN	HOYT	PARKER	J. T. TAYLOR
BERRIGAN	DAY	HURD	PATTENGILL	THAIN
BOUCK	DOUGLASS	KEATOR	PATTERSON	THOMSON
BROOKS	FLOYD-JONES	KEEGAN	CICERO C. PECK	TOWNSLEY
BROWNING	FLYNN	KELLOGG	PIPER	WEMPLE
BRUNDAGE	FOSTER	LANGNER	POOL	WILLERS
BURNS	FRANK	MAPES	PROPER	WILLIS
CHASE	GALVIN	MCDONOUGH	ROBERTS	WORTH
CLANCY	GRADY	MEAD	ROWLAND	

When the name of Mr. Fish was called, he stated that he was paired with Mr. Moller.

When the name of Mr. Halliday was called, he stated that he was paired with Mr. Wadsworth.

Mr. Bergen moved to reconsider the vote by which said report was disagreed to.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

This being the day assigned under the rule for the consideration of general orders,

The House then resolved itself into a committee of the whole on the bills entitled as follows:

“An act to incorporate the Black River Improvement Company.”

“An act in relation to granting licenses to sell intoxicating drinks.”

“An act to provide for a better administration of the public charities in the county of Kings, and for the creation of a department of public charities therein.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Foster, from said committee, reported progress on the first named bill, and asked leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said bill, and that the same, with the substitute offered by Mr. Roberts in the committee of the whole, be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foster, from the same committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Foster, from the same committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That when the Legislature adjourns to-day, it adjourn to meet on Monday evening at eight o'clock.

Ordered, That said resolution be laid upon the table.

Leave of absence was granted to Mr. Piper.

On motion of Mr. Alvord, and at 1 o'clock and 45 minutes, the House took a recess until half past four, P. M.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. Shanley moved that the Assembly bill entitled “An act to amend chapter 596 of the Laws of 1874, entitled ‘An act to incorporate the Manhattan Mortgage Company,’” be committed to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 482, G. O. 548, entitled "An act to create a police pension fund for disabled and retired policemen in the city of New York," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Leave of absence was granted to Mr. Rowland until Monday evening.

Mr. Hobbie offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill G. O. 382, No. 339, entitled "An act to amend the charter of the city of Rochester, and to change its boundaries," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Browning presented a resolution adopted by the board of aldermen of the city of Brooklyn, indorsing the bill introduced by Mr. Browning in relation to the employment of convict labor; which was read and referred to the committee on State prisons.

A communication was received and read, from the Governor, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 17, 1878. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, I return, for amendment, Assembly bill No. 109, entitled "An act to amend an act entitled 'An act to incorporate the city of Newburgh,' passed April 22, 1865, and the several acts amendatory thereof."

L. ROBINSON.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	JONES	NORTH	SHANLEY
ALLEN	DALY	KEATOR	NOYES	SHEARD
ALFORD	DOUGLASS	KELLOGG	PALMER	SHELDON
ANDREWS	DUELL	KERN	PARKER	SKINNER
BAKER	FISH	KING	PATTENGILL	STRACK
BEARD	FLOYD-JONES	LANGNER	CICERO C. PECK	SUTHERLAND
BERGEN	FOSTER	LOVELAND	DEWITT C. PECK	E. TAYLOR
BERRIGAN	GALVIN	LOWING	PEEK	TERRY
BERRY	GRAHAM	MATTISON	POOL	THAIN
BOUCK	GRIGGS	MEAD	PRESCOTT	THOMSON
BROOKS	HALLIDAY	MEKEEL	REYNOLDS	WARING
BROWNING	HAVENS	J. H. MILLER	ROBERTS	WILBOR
BRUNDAGE	HEPBURN	S. V. R. MILLER	ROWLAND	WILLIAMS
CHASE	HOBBIE	MEYENBORG	SEARING	WILLIS
CLAPP	HOLBROOK	NELSON	SEEBACHER	WINCH
CLARK	HOYT	NIVEN	SEWELL	WORTH
CORMACK	HURD			

On motion of Mr. Graham, and by unanimous consent, said bill was amended in the words following:

Section 1, in lines 1 and 2, by changing the words "four hundred and fifty-seven," to "chapter five hundred and forty-one."

Amend the title of said bill by changing the words from "four hundred and fifty-seven," to "chapter five hundred and forty-one."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor hereof, and three-fifths being present, as follows:

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	JONES	NIVEN	SEEBACHER
ALLEN	DOUGLASS	KEATOR	NORTH	SHANLEY
ALVORD	DUELL	KEEGAN	NOYES	SKINNER
ASTOR	FISH	KELLOGG	PALMER	SUTHERLAND
BAKER	FLOYD-JONES	KERN	PARKER	E. TAYLOR
BEARD	FOSTER	KING	PATTENGILL	TERRY
BERGEN	GALVIN	LANGNER	CICERO C. PECK	THAIN
BERRIGAN	GILBERT	LOVELAND	DEWITT C. PECK	THOMSON
BERRY	GRAHAM	LOWING	PEEK	TOWNSLEY
BOUCK	GRIGGS	MAPES	POOL	WEMPLE
BROOKS	HALLIDAY	MATTISON	PRESCOTT	WHEELER
BROWNING	HAVENS	MEAD	PROPER	WILLERS
BRUNDAGE	HEPBURN	MEKEEL	PURDY	WILLIAMS
CHASE	HOBBIE	J. H. MILLER	ROBERTS	WILLIS
CLARK	HOLBROOK	S. V. R. MILLER	ROWLAND	WINCH
CORMACK	HOYT	MEYENBORG	SAWYER	WORTH
COSAD	HURD	NELSON	SEARING	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent,

Mr. Halliday introduced a bill entitled "An act to extend the time for the collection of taxes in the town of Ithaca, in the county of Tompkins," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Halliday, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOYT	NELSON	SEWELL
ALLEN	CROWLEY	HURD	NIVEN	SHANLEY
ALVORD	DOUGLASS	JONES	NOYES	SKINNER
ANDREWS	DUELL	KEATOR	PALMER	SUTHERLAND
ASTOR	FISH	KEEGAN	PARKER	E. TAYLOR
BAKER	FLOYD-JONES	KELLOGG	PATTENGILL	TERRY
BEARD	FLYNN	KERN	CICERO C. PECK	THAIN
BERGEN	FOSTER	KING	DEWITT C. PECK	THOMSON
BERRIGAN	GALVIN	LANGNER	PEEK	TOWNSLEY
BERRY	GILBERT	LOVELAND	POOL	WEMPLE
BOUCK	GRADY	LOWING	PRESCOTT	WHEELER
BROOKS	GRAHAM	MAPES	PURDY	WILBOR

BROWNING	GRIGGS	MATTISON	REYNOLDS	WILLERS
CHAPPELL	HALLIDAY	MEAD	ROBERTS	WILLIAMS
CHASE	HAVENS	MEKEEL	ROWLAND	WILLIS
CLAPP	HEPBURN	J. H. MILLER	SEARING	WINCH
CLARK	HOBBIE	S. V. R. MILLER	SEEBACHER	WORTH
CORMACK	HOLBROOK	MEYENBORG		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill entitled as follows:

"An act extending the time for the completion of the New York and New England railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The Senate returned the bill entitled as follows:

"An act to amend chapter 100 of the Laws of 1877, entitled 'An act authorizing the trustees of the village of Ballston Spa to issue bonds to be known as "extended water bonds," to pay a portion of the water bonds now outstanding of said village, maturing in the year 1877 and thereafter.'"

Ordered, That the Clerk deliver said bill to the Governor.

By unanimous consent,

Mr. Berry introduced a bill entitled "An act to amend chapter 135, Laws of 1860, entitled 'An act in relation to district attorneys,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Berry presented a report of the sub-committee of the whole; which was laid upon the table and ordered printed.

(See Doc. No. 117.)

The Senate returned the bill entitled "An act in relation to the military record fund, and to provide for the refunding of moneys contributed by towns and cities of this State and by individuals, for the erection of a Hall of Military Record," with a message that they had concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause, and insert the following:

"SECTION 1. The New Capitol Commissioners are hereby required to set apart and suitably furnish sufficient apartments in the New Capitol, to be known and maintained as the Hall of Military Record.

"§ 2. The interest arising from the investment of the funds heretofore contributed by towns, cities and individuals for the erection of such Hall of Military Record shall be hereafter devoted to the maintenance of such Hall of Military Record."

Amend the title so as to read as follows:

"An act to provide for a Hall of Military Record, and the maintenance thereof."

Mr. Alvord moved to non-concur in the amendments made in the Senate to said bill, and that said bill be committed to the committee on ways and means.

Mr. Speaker put the question, whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced, pursuant to the ninth joint rule, order of business, third reading of bills.

The bill entitled "An act to amend chapter 523, Laws of 1870, entitled 'An act to incorporate the village of New Berlin, in Chenango county,' and to repeal the present charter," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 95. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HEPBURN	S. V. R. MILLER	SEEBACHER,
ALLEN	CLARK	HOBBIE	MEYENBORG	SEWELL
ALVORD	CONVERSE	HOLBROOK	NELSON	SEARD
ANDREWS	CORMACK	HOYT	NIVEN	SKINNER
ASTOR	COSAD	HURD	NORTH	SLITER
BAKER	CROWLEY	JONES	NOYES	SUTHERLAND
BATHE	DOUGLASS	KEATOR	PALMER	E. TAYLOR
BEARD	DUELL	KEEGAN	PARKER	J. T. TAYLOR
BERGEN	FISH	KELLOGG	PATTENGILL	TERRY
BERRIGAN	FLOYD-JONES	KERN	CICERO C. PECK	THAIN
BERRY	FLYNN	KING	DEWITT C. PECK	THOMSON
BOUCK	FOSTER	LANGNER	PEEK	TOWNSLEY
BROOKS	FRANK	LOVELAND	POOL	WEMPLE
BROWNING	GALVIN	LOWING	PRESCOTT	WHEELER
BRUNDAGE	GILBERT	MATTISON	PURDY	WILBOR
BURNS	GRAHAM	MCDONOUGH	REYNOLDS	WILLERS
CASE	GRIGGS	MEAD	ROBERTS	WILLIS
CHASE	HALLIDAY	MEKEEL	ROWLAND	WINCH
CLANCY	HAVENS	J. H. MILLER	SEARING	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84. NOES 1.

Those who voted in the affirmative, were

ABBOTT	CLARK	HOBBIE	NIVEN	SLITER
ALLEN	CONVERSE	HOLBROOK	PALMER	SUTHERLAND
ALVORD	CORMACK	HOYT	PARKER	E. TAYLOR
ANDREWS	CRAWFORD	HURD	PATTENGILL	J. T. TAYLOR
ASTOR	CROWLEY	JONES	CICERO C. PECK	TERRY
BAKER	DALY	KEEGAN	DEWITT C. PECK	THAIN
BATHE	DEYOE	KELLOGG	PEEK	THOMSON
BEARD	FISH	KERN	POOL	TOWNSLEY
BERGEN	FLYNN	KING	PURDY	WARING
BERRIGAN	FOSTER	LOVELAND	REYNOLDS	WEMPLE
BERRY	GALVIN	MAPES	ROBERTS	WILBOR
BROOKS	GILBERT	MATTISON	ROWLAND	WILLERS
BROWNING	GRADY	MEKEEL	SAWYER	WILLIAMS
BRUNDAGE	GRAHAM	J. H. MILLER	SEEBACHER	WILLIS
BURNS	HAMILTON	S. V. R. MILLER	SEWELL	WINCH
CASE	HAVENS	MEYENBORG	SEARD	WORTH
CHAPPELL	I. I. HAYES	NELSON	SKINNER	

For the negative,

COSAD

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish in the chair,

Mr. Alvord moved to take from the table the motion to reconsider the vote by which Assembly bill entitled "An act in relation to the election of officers in certain school districts," was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 74.

NOES 14.

Those who voted in the affirmative, were

ALLEN	CLARK	HEPBURN	MOOERS	SHEARD
ALVORD	CONVERSE	HOBBIE	MEYENBORG	SKINNER
ANDREWS	CORMACK	HOLBROOK	NIVEN	SUTHERLAND
ASTOR	CROWLEY	HOYT	NORTH	E. TAYLOR
BAKER	CURRAN	HURD	NOYES	J. T. TAYLOR
BATHE	DEYOE	KEATOR	PATTENGILL	TERRY
BERGEN	DUELL	KEEGAN	DEWITT C. PECK	THAIN
BERRY	FISH	KELLOGG	PEEK	TOWNSLEY
BROOKS	FLOYD-JONES	KERN	POOL	WEMPLE
BRUNDAGE	FOSTER	KING	PROPER	WILBOR
BURNS	GILBERT	LANGNER	PURDY	WILLERS
CASE	GRADY	MATTISON	REYNOLDS	WILLIAMS
CHAPPELL	GRIGGS	MEAD	ROBERTS	WILLIS
CHASE	HALLIDAY	MEKEEL	ROWLAND	WORTH
CLANCY	HENRY	J. H. MILLER	SEEBACHER	

Those who voted in the negative, were

BEARD	HAVENS	LOVELAND	NELSON	SLITER
BROWNING	I. I. HAYES	MAPES	PALMER	THOMSON
HAMILTON	JONES	S. V. R. MILLER	SEARING	

Mr. Alvord moved to recommit said bill to the committee on public education, with instruction to amend the same as follows, and said committee to report forthwith:

Section 1, line 2, strike out the word "two," and insert in lieu thereof the word "three."

Mr. DeWitt C. Peck, from the committee on public education, reported back said bill, amended as instructed by the House.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 75.

NOES 9.

Those who voted in the affirmative, were

ALLEN	CLARK	HEPBURN	MEKEEL	SHANLEY
ALVORD	CONVERSE	HOBBIE	MOOERS	SHEARD
ANDREWS	CORMACK	HOLBROOK	NIVEN	SKINNER
ASTOR	COSAD	HOYT	NOYES	SUTHERLAND
BAKER	CROWLEY	HURD	PARKER	E. TAYLOR
BATHE	CURRAN	JONES	PATTENGILL	J. T. TAYLOR
BERGEN	DAY	KEATOR	CICERO C. PECK	TERRY
BERRIGAN	DOUGLASS	KEEGAN	DEWITT C. PECK	THAIN
BOUCK	DUELL	KELLOGG	PEEK	WARING
BROOKS	FLOYD-JONES	KERN	POOL	WHEELER
BRUNDAGE	FOSTER	KING	PURDY	WILBOR

CHAPPELL	GRADY	LANGNER	ROBERTS	WILLERS
CHASE	GRIGGS	LOVELAND	SAWYER	WILLIS
CLANCY	HALLIDAY	MATTISON	SEEBACHER	WINCH
CLAPP	HAMILTON	MCDONOUGH	SEWELL	WORTH

Those who voted in the negative, were

BEARD	FISH	S. V. R. MILLER	PALMER	THOMSON
BROWNING	I. I. HAYES	NELSON	SLITER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prevent accidents on railroads operated by steam power in the State of Now York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 54.

NOES 38.

Those who voted in the affirmative, were

ALLEN	CHAPPELL	HOLBROOK	POOL	J. T. TAYLOR
ALVORD	CLAPP	HOYT	PRESCOTT	TERRY
ANDREWS	CLARK	KERN	REYNOLDS	THOMSON
ASTOR	CONVERSE	KING	ROBERTS	TOWNSLEY
BAKER	DEYOE	LANGNER	ROWLAND	WARING
BERGEN	FISH	MEAD	SEARING	WEMPLE
BERRIGAN	FLYNN	S. V. R. MILLER	SHANLEY	WHEELER
BERRY	GILBERT	MEYENBORG	SHEARD	WILBOR
BOUCK	GRAHAM	PALMER	SKINNER	WILLIS
BROOKS	GRIGGS	DEWITT C. PECK	SUTHERLAND	WINCH
BRUNDAGE	I. I. HAYES	PEEK	E. TAYLOR	

Those who voted in the negative, were

BATHE	CROWLEY	HAVENS	MCDONOUGH	CICERO C. PECK
BEARD	CURRAN	HOBBIE	MEKEEL	PROPER
BROWNING	DAY	JONES	NELSON	SEEBACHER
BURNS	FITZGERALD	KEATOR	NIVEN	SEWELL
CHASE	FLOYD-JONES	KEEGAN	NOYES	THAIN
CLANCY	FOSTER	KELLOGG	PARKER	WILLERS
CORMACK	GRADY	LOVELAND	PATTENGILL	WORTH
COSAD	HAMILTON	MAPES		

Mr. Husted moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to amend section 7 of title thirteen of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general act relating to public instruction,'" with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 8, after the word "officer," insert the words "or officers."
Same line, strike out the words "are or shall."

Line 9, after the word "been," insert the words "or shall be."

Line 15, after the word "continue," insert the word "any."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CLAPP	HOLBROOK	NOYES	SHEARD
ALVORD	CLARK	HOYT	PALMER	SKINNER
ANDREWS	CONVERSE	JONES	PARKER	SUTHERLAND
BAKER	CORMACK	KEATOR	PATTENGILL	E. TAYLOR
BATHE	CURRAN	KEEGAN	CICERO C. PECK	J. T. TAYLOR
BEARD	DAY	KELLOGG	DEWITT C. PECK	TERRY
BERGEN	DUELL	KERN	PEEK	THAIN
BERRIGAN	FISH	KING	POOL	THOMSON
BERRY	FLOYD-JONES	LANGNER	PRESCOTT	TOWNSLEY
BOUCK	FLYNN	LOVELAND	PURDY	WARING
BROOKS	FOSTER	MAPES	REYNOLDS	WEMPLE
BROWNING	GILBERT	MATTISON	ROBERTS	WHEELER
BRUNDAGE	GRADY	MCDONOUGH	ROWLAND	WILBOR
BURNS	GRAHAM	MEKEEL	SEARING	WILLERS
CASE	HALLIDAY	J. H. MILLER	SEEBACHER	WILLIS
CHAPPELL	HAMILTON	S. V. R. MILLER	SEWELL	WINCH
CHASE	I. I. HAYES	NELSON	SHANLEY	WORTH
CLANCY	HOBBIE	NIVEN		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate sent for concurrence the bill entitled as follows :

“An act to extend the time for the collection of taxes in the county of Richmond,” which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Brooks, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CLAPP	I. I. HAYES	MEKEEL	SEWELL
ALVORD	CLARK	HENRY	S. V. R. MILLER	SHEARD
ANDREWS	CONVERSE	HOBBIE	MOOERS	SKINNER
ASTOR	CORMACK	HOLBROOK	NELSON	STRACK
BAKER	COSAD	HOYT	NIVEN	SUTHERLAND
BATHE	CRAWFORD	HURD	NOYES	E. TAYLOR
BEARD	CURRAN	JONES	PARKER	J. T. TAYLOR
BERGEN	DAY	KEATOR	PATTENGILL	TERRY
BERRIGAN	DEYOE	KEEGAN	CICERO C. PECK	THOMSON
BERRY	FISH	KELLOGG	DEWITT C. PECK	TOWNSLEY
BOUCK	FLOYD-JONES	KERN	PEEK	WARING
BROOKS	FLYNN	KING	POOL	WEMPLE
BROWNING	FOSTER	LANGNER	PRESCOTT	WILLERS
BRUNDAGE	GALVIN	LOVELAND	REYNOLDS	WILLIAMS
CASE	HALLIDAY	LOWING	ROBERTS	WILLIS
CHAPPELL	HAMILTON	MAPES	SEARING	WINCH
CHASE	HAVENS	MCDONOUGH	SEEBACHER	WORTH
CLANCY				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled “An act to amend chapter 176 of the Laws of 1872, entitled ‘An act in relation to the village of Canandaigua, and to provide a police justice and police constables in said village, and defining their jurisdiction, powers and duties,’” was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 91.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HEPBURN	NELSON	SHEARD
ALLEN	CORMACK	HOBBIE	NIVEN	SHELDON
ALVORD	COSAD	HOLBROOK	NOYES	SKINNER
ANDREWS	CURRAN	HOYT	PALMER	STRACK
BAKER	DAY	JONES	PARKER	SUTHERLAND
BATHE	DEYOE	KEATOR	DEWITT C. PECK	E. TAYLOR
BEARD	DOUGLASS	KEEGAN	PEEK	J. T. TAYLOR
BERGEN	FISH	KELLOGG	PIPER	TERRY
BERRIGAN	FLOYD-JONES	KERN	POOL	THAIN
BERRY	FOSTER	KING	PRESCOTT	THOMSON
BOUCK	GALVIN	LANGNER	PROPER	TOWNSLEY
BROOKS	GILBERT	LOWING	ROBERTS	WEMPLE
BROWNING	GRAHAM	MATTISON	ROWLAND	WILBOR
BRUNDAGE	GRIGGS	MEAD	SAWYER	WILLERS
BURNS	HALLIDAY	MEKEEL	SEARING	WILLIAMS
CASE	HAMILTON	J. H. MILLER	SEEBACHER	WILLIS
CHAPPELL	HAVENS	MOOERS	SEWELL	WINCH
CHASE	I. I. HAYES	MEYENBORG	SHANLEY	WORTH
CLARK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill, entitled "An act to repeal chapter 418 of the Laws of 1870, entitled 'An act to provide for the payment of the board of vagrants committed to the alms-house of the city and town of Newburgh,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 1.

Those who voted in the affirmative, were

ALVORD	COSAD	HOLBROOK	NELSON	SKINNER
ANDREWS	CRAWFORD	HOYT	NIVEN	SLITER
BAKER	CURRAN	HURD	NOYES	STORY
BATHE	DALY	JONES	PALMER	E. TAYLOR
BERRIGAN	DOUGLASS	KEATOR	CICERO C. PECK	TERRY
BERRY	DUELL	KEEGAN	DEWITT C. PECK	THAIN
BROOKS	FITZGERALD	KELLOGG	PEEK	THOMSON
BROWNING	FLOYD-JONES	KERN	POOL	TOWNSLEY
BRUNDAGE	FLYNN	KING	PRESCOTT	WARING
BURNS	FRANK	LANGNER	PROPER	WEMPLE
CASE	GALVIN	LOVELAND	REYNOLDS	WHEELER
CHAPPELL	GILBERT	LOWING	ROBERTS	WILBOR
CHASE	GRIGGS	MEKEEL	ROWLAND	WILLERS
CLAPP	HALLIDAY	J. H. MILLER	SAWYER	WILLIAMS
CLARK	HAVENS	S. V. R. MILLER	SEARING	WILLIS
CONVERSE	I. I. HAYES	MOOERS	SEWELL	WINCH
CORMACK	HOBBIE	MEYENBORG	SHANLEY	WORTH

For the negative,

GRAHAM

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Purdy introduced a bill entitled "An act relative to public improvements in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The bill entitled "An act to extend the term of the corporate existence of 'the Middletown and Wurtzboro Turnpike Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 2.

Those who voted in the affirmative, were

ALLEN	COSAD	HAVENS	NELSON	SHEARD
ALVORD	CURRAN	I. I. HAYES	NIVEN	SKINNER
ANDREWS	DALY	HOBBIE	NORTH	SUTHERLAND
BATHE	DEYOE	HOYT	NOYES	E. TAYLOR
BERGEN	DUELL	JONES	PALMER	J. T. TAYLOR
BERRY	FISH	KEATOR	CICERO C. PECK	TERRY
BOUCK	FITZGERALD	KEEGAN	DEWITT C. PECK	THAIN
BROOKS	FLOYD-JONES	KELLOGG	PEEK	TOWNSLEY
BRUNDAGE	FLYNN	KERN	POOL	WARING
BURNS	FOSTER	KING	PRESCOTT	WEMPLE
CASE	GILBERT	LANGNER	REYNOLDS	WHEELER
CHAPPELL	GRADY	LOVELAND	ROBERTS	WILBOR
CHASE	GRAHAM	LOWING	ROWLAND	WILLIAMS
CLARK	GRIGGS	MEKEEL	SAWYER	WILLIS
CONVERSE	HALLIDAY	J. H. MILLER	SEARING	WINCH
CORMACK	HAMILTON	MOOERS	SEWELL	WORTH

Those who voted in the negative, were

BEARD CRAWFORD

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to protect the Seaside boulevard and meadows adjacent thereto on the south shore of Staten Island, and to prevent the same from being injured or overflowed by the waters of the bay of New York," with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, line 6, strike out the words "so as," and insert in lieu thereof the words "from within twenty feet of ordinary high water mark, so as not."

Section 2, line 1, after the word "violate," insert the words "either of the."

Section 4, line 2, before the word "of," insert the words "or justice of the peace court."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CONVERSE	I. I. HAYES	NIVEN	SKINNER
ALVORD	CORMACK	HOBBIE	NORTH	SUTHERLAND
ANDREWS	COSAD	HOLBROOK	NOYES	E. TAYLOR
BAKER	CURRAN	HOYT	PALMER	J. T. TAYLOR
BATHE	DEYOE	JONES	PATTENGILL	TERRY
BERGEN	DUELL	KEEGAN	CICERO C. PECK	THAIN
BERRY	FISH	KELLOGG	DEWITT C. PECK	THOMSON
BOUCK	FITZGERALD	KERN	PEEK	WARING
BROOKS	FLOYD-JONES	KING	POOL	WEMPLE
BROWNING	FLYNN	LOVELAND	PRESCOTT	WILBOR
BRUNDAGE	FOSTER	LOWING	ROBERTS	WILLERS
BURNS	GILBERT	MAPES	ROWLAND	WILLIAMS
CASE	GRADY	MOOERS	SAWYER	WILLIS
CHAPPELL	GRIGGS	MEYENBORG	SEARING	WINCH
CHASE	HALLIDAY	NELSON	SEWELL	WORTH
CLARK	HAMILTON			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

Mr. Speaker in the chair.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act in relation to canals."

"An act to amend chapter 62 of the Laws of 1877, entitled 'An act to amend chapter 341 of the Laws of 1872, entitled An act in reference to the Young Men's Association for mutual improvement in the city of Albany.'"

"An act to provide for the better protection of property and life in the State of New York from the rapid spread of fires through steam elevator passages or flues."

"An act to provide for the collection of the unpaid assessments for the opening, regulating, and grading of Frankiin avenue, in the towns of Flatbush and New Utrecht."

"An act to amend chapter 322 of the Laws of 1869, entitled 'An act to encourage the planting of shade trees along the sides of public highways.'"

"An act to authorize the Mutual Fire Insurance Company to unite a cash capital, and to provide for its participation in their business."

"An act to release the interest of the people of the State of New York in and to certain real estate in the city of New York, in the State of New York, of which Peter W. Duncan or Eliza Kelly, or both of said persons, died seized and possessed to the persons who, according to the statutes of this State, would answer the description of heirs-at-law of such deceased persons, whether they were citizens or aliens at the time of the death of said Peter W. Duncan or Eliza Kelly."

"An act to authorize the trustees of the village of Valatie to borrow money, to be expended in the purchase of a suitable building and lot for the purpose of a public hall for the use of said village."

"An act to facilitate the discharge of debtors imprisoned by virtue of executions in civil cases."

"An act to amend chapter 403 of the Laws of 1868, entitled 'An act to establish and maintain a free bridge between Sag-Harbor and North Haven in the town of Southampton, Suffolk county, and to make such bridge a county charge.'"

"An act to amend section thirty-seven of title 1 of chapter 5, part 3 of the Revised Statutes."

"An act accepting the sovereignty and jurisdiction over a portion of the State of Vermont, ceded to the State of New York in the year 1876."

"An act to release certain lands which have escheated to the State to Louisa Henneder, widow of Joseph Henneder, late of the city of Albany, New York."

"An act to release and convey the interest of the people of the State of New York, of, in and to certain real estate situated in the town of Grand Island, county of Erie, State of New York, to Leopold Mullenhoff."

"An act to release the interest of the people of the State of New York in certain lands to Catharine Weber (formerly Rusch), and to authorize her to hold and convey the same."

"An act to authorize the board of supervisors of the county of Wayne to determine that the Clyde and Rose Plank Road Company abandon its plank or gravel road in that county, and to provide for the abandonment thereof."

Mr. North, from the committee on civil divisions, to which was referred the Senate bill introduced by Mr. Oakley, Int. No. 231, entitled "An act to change the boundary of the village of Hempstead, in the county of Queens," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The Senate bill entitled "An act to confirm and protect the incorporation of the village of Hermon," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ALLEN	COSAD	HOLBROOK	NORTH	SUTHERLAND
ALVORD	CURRAN	HOYT	NOYES	E. TAYLOR
ANDREWS	DEYOE	JONES	PALMER	J. T. TAYLOR
BAKER	DOUGLASS	KEATOR	PATTENGILL	TERRY
BEARD	DUELL	KEEGAN	CICERO C. PECK	THAIN
BERRIGAN	FISH	KELLOGG	DEWITT C. PECK	THOMSON
BERRY	FITZGERALD	KERN	PEEK	TOWNSLEY
BOUCK	FLOYD-JONES	KING	POOL	WARING
BROOKS	FLYNN	LOVELAND	PRESCOTT	WEMPLE
BROWNING	FOSTER	LOWING	ROBERTS	WHEELER
BURNS	FRANK	MATTISON	ROWLAND	WILBOR
CASE	GRADY	MCDONOUGH	SAWYER	WILLERS
CHAPPELL	GRAHAM	MEKEEL	SEARING	WILLIAMS
CHASE	GRIGGS	J. H. MILLER	SEWELL	WILLIS
CLARK	HALLIDAY	MOOERS	SHEARD	WINCH
CONVERSE	HAMILTON	NELSON	SHELDON	WORTH
CORMACK	I. I. HAYES	NIVEN	SKINNER	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Halliday in the chair.

The bill entitled "An act in relation to canals," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 10.

Those who voted in the affirmative, were

ALLEN	CLARK	I. I. HAYES	J. H. MILLER	SKINNER
ALVORD	CONVERSE	HENRY	S. V. R. MILLER	STRACK
ANDREWS	CORMACK	HOBBIE	MOOERS	SUTHERLAND
BAKER	COSAD	HOLBROOK	MEYENBORG	E. TAYLOR
BATHE	DALY	HOYT	NELSON	J. T. TAYLOR
BERGEN	DUELL	JONES	NIVEN	TERRY
BERRIGAN	FISH	KEEGAN	NORTH	THAIN
BERRY	FLOYD-JONES	KERN	DeWITT C. PECK	TOWNSLEY
BOUCK	FOSTER	KING	PEEK	WARING
BROOKS	GALVIN	LANGNER	POOL	WHEELER
BROWNING	GILBERT	LOWING	ROWLAND	WILBOR
BRUNDAGE	GRADY	MAPES	SAWYER	WILLIAMS
BURNS	GRAHAM	MATTISON	SEEBACHER	WILLIS
CASE	GRIGGS	MCDONOUGH	SEWELL	WINCH
CHAPPELL	HALLIDAY	MEKEEL	SHEARD	WORTH
CHASE	HAMILTON			

Those who voted in the negative, were

BEARD	LOVELAND	CICERO C. PECK	ROBERTS	WEMPLE
KELLOGG	MEAD	PRESCOTT	THOMSON	WILLERS

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bills entitled as follows :

"An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to prevent fraud in the sale or exchange of merchadise," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to alter the boundary line between the towns of Davenport and Meredith, in the county of Delaware," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on civil divisions.

"An act to define the jurisdiction of the Canal Board and the Board of Canal Appraisers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to facilitate the collection of certain unpaid taxes in the town of Newtown, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend article 3, title 4, chapter 2 of part 4 of the Revised Statutes, entitled 'Of the removal of indictments before trial or judgment,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of Thomas E. Davis," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to enable the Germania Schutzenbund Washington Rifles of New York city to take and hold real estate to the amount of two hundred thousand dollars," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to overseers of the poor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord moved that the present order of business be laid upon the table, for the purpose of taking up the order of business, reports of standing committees only.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Graham, Int. No. 128, entitled "An act for the relief of the Canterbury Fire Engine Company, in Orange county," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act for the relief of the Canterbury Fire Engine Company, in Orange county, and to amend chapter 272 of the Laws of 1830, entitled 'An act to incorporate the Canterbury Fire Company,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Beard, Int. No. 592, entitled "An act to amend chapter 401 of the Laws of 1877, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution,'" reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sessions, Int. No. 125, entitled "An act to prevent the removal of actions to the Circuit Court of the United States by foreign insurance companies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. R. V. Pierce, Int. No. 92, entitled "An act to classify the board of trustees of the Clinton Liberal Institute, and to provide for the election of said trustees," reported in favor of the passage of the same, with amendments (Mr. Kern, dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was recommended the bill introduced by Mr. Bergen, Int. No. 440, entitled "An act to further amend the act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Case, from the committee on canals, reported a bill entitled "An act to amend chapter 366 of the Laws of 1877, entitled 'An act to provide for the introduction of the Stevenson traction system of towage on the Erie canal,'" which was read the first time, and by unanimous consent was also read the second time, and said bill committed to the committee of the whole.

Mr. Case, from the committee on canals, to which was referred the report relative to the amount of money paid from the State treasury, and the parties to whom paid, during the last ten years, for any patents or other experiments for steam towage on the canals, reported in favor of the adoption of the following resolution :

Resolved, That the report be printed and placed on the files.

STATE OF NEW YORK — CANAL DEPARTMENT, }
ALBANY, *March 28, 1878.* }

HON. JAMES W. HUSTED, *Speaker of the Assembly* :

SIR — On the twenty-second instant, the House adopted the following, namely :

“Resolved, That the Auditor of the Canal Department be requested to inform this House the amount of money paid from the State treasury, and the parties to whom paid, during the last ten years, for any patents or other experiments for steam towage on the canals.”

In reply to the foregoing resolution, the Auditor presents the following report :

The Legislature, by act chapter 868, Laws of 1871, created a commission to practically test and examine inventions, or any and all devices which might be submitted to them for that purpose during the years 1871 and 1872, by which steam, caloric, electricity, or any other motor than animal power might be practically and profitably used and applied in the propulsion of boats upon the canals.

The first report of the commission appointed under said act was made to the Legislature February 15, 1872. (Assembly Document No. 61.) The second report was made to the Legislature February 25, 1873. (Senate Document No. 71.) In their second report the commissioners, after giving their reasons for not making any award under the act recommended that the reward offered by chapter 868, Laws of 1871, be continued, and the Legislature, by act chapter 480, Laws of 1873, did continue the powers of the commissioners one year beyond the time limited in the original act, but made no other amendment of its provisions.

The third and final report of the commission was made to the Legislature February 20, 1874. (Assembly Document, No. 65.) The commission made no awards under the act, but recommended the Legislature to enact a law “that shall do justice to those competitors who have so nearly met the requirements of the law of 1871,” and submitted the draft of a law that “will be just and equitable to certain competitors therein named.” * * *

The Legislature, in response to such recommendation, enacted a law, chapter 618, Laws of 1874, for the relief of William Baxter, David P. Dobbins, and Theodore Davis; and in accordance therewith the Comptroller paid to William Baxter thirty-five thousand dollars; to David P. Dobbins fifteen thousand dollars, and to Theodore T. Davis five thousand dollars, making a sum total of fifty-five thousand dollars. The sums paid to the aforesaid parties include all the money paid from the State treasury during the last ten years, or during any time previous to that period, for any patents or experiments for steam towage or steam propulsion on the canals, excepting the amount paid for the expenses of the commission created under the act of 1871.

Respectfully submitted.

GEORGE W. SCHUYLER, *Auditor.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That said report be printed and placed on file.

Mr. Worth, from the committee on affairs of cities, to which was referred the Senate bill, Int. 182, entitled "An act relating to the assessment for Prospect park in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Worth, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 50, entitled "An act to provide a salvage corps for the protection of persons and property and against fire, in the city of Brooklyn, and to provide for the maintenance thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Speaker, Int. No. 873, entitled "An act to further amend the act entitled 'An act for the protection of private parks and grounds, and to encourage the propagation of fish and game,' passed April 21, 1871, and amended by chapter 347 of the Laws of 1876," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. King, Int. No. 779, entitled "An act to amend chapter 427 of the Laws of 1855, entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Berrigan, Int. No. 379, entitled "An act to incorporate the Grand Lodge of the Order Berith Abraham of the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Worth, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bergen, Int. No. 416, entitled "An act in relation to the assessment for the repavement of Atlantic avenue with granite pavement, in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Nelson, Int. No. 796, entitled "An act to amend an act entitled 'An act in relation to plankroads and turnpike roads,' passed April 6, 1849," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Nelson, Int. No. 879, entitled "An act for the removal of refuse matter in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Foster, Int. No. 863, entitled "An

act defining and limiting the duties of certain officials," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Thompson, Int. No. 187, entitled "An act in relation to the holding of town meetings," reported adversely thereto, which report was agreed to.

The privileges of the floor were granted to the Hon. Myron H. McKee.

Mr. Worth, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Flynn, Int. No. 595, entitled "An act to provide a ferry landing in the Fourteenth ward of the city of Brooklyn," reported in favor of the passage of the same which report was agreed to, and said bill committed to the committee of the whole.

Mr. Worth, from the committee on commerce and navigation, to which was referred the Senate bill, Int. No. 154, entitled "An act to establish and settle the bulk-head and pier lines for Newtown creek, in the port of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Worth, from the committee on commerce and navigation, to which was referred the Senate bill Int. No. 138, entitled "An act to amend chapter 604 of the Laws of 1875, entitled 'An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or in the bay of New York, or Raritan bay, within the jurisdiction of the State of New York,' passed June 18, 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mooers, from the committee on internal affairs, to which was referred the bill introduced by Mr. Brooks, Int. No. 874, entitled "An act to change the location of the court-houses and clerk's office of Richmond county by a majority vote of the board of supervisors of said county, and a vote of approval by the electors of said county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Brooks, Int. No. 717, entitled "An act to amend the charter of the village of Edgewater," reported adversely thereto, which report was agreed to.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Hurd, Int. No. 782, entitled "An act to amend an act entitled 'An act to incorporate the village of Williamsville,'" reported adversely thereto.

Mr. Allen moved that said report be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. King, from the committee on public health, to which was referred the bill introduced by Mr. Moller, Int. No. 825, entitled "An act for the protection of life and limb," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. King, from the committee on public health, to which was recommended the bill introduced by Mr. McDonough, Int. No. 169, entitled "An act to provide for the abatement of nuisances by boards of health of incorporated cities, reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Marvin, Int. No. 155, entitled "An act to amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious Society of Friends,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. D. W. C. Peck, from the committee on public education, to which was referred the Senate bill introduced by Mr. Raines, Int. No. 164, entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mooers, from the committee on state prisons, to which was referred the Senate bill, Int. No. 100, entitled "An act in reference to a site for an additional State prison," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on state charitable institutions, to which was referred the bill introduced by Mr. Hurd, Int. No. 252, entitled "An act to regulate commitments of juvenile delinquents and other persons to charitable or reformatory institutions where the same is a county or city charge," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and at 6 o'clock and 15 minutes, the House adjourned.

FRIDAY, APRIL 19, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Battershall.

The journal of yesterday was read and approved.

Mr. Alvord moved to lay all orders of business, excepting introduction of bills, reports of standing committees and general orders, on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

Leave of absence was granted to Messrs. Peek and Brooks.

Mr. Hobbie introduced a bill entitled "An act to provide for the preservation of fish in Monroe county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Burns introduced a bill entitled "An act to amend an act entitled 'An act to authorize the city of Troy to take water from the Hudson river, and from other sources, and to facilitate the acquisition of land for the construction of works, reservoirs and laying pipes, or other means to conduct said water to said city,' passed April 26, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to amend the title of chapter 131, of the Laws of 1878, entitled 'An act to annex the village of West Mount Vernon, in the county of Westchester, to the village of Mount Vernon, in said county; to confirm the tax sale heretofore held in the said village of West Mount Vernon, and to provide for the division of the said village of Mount Vernon into wards, after the annexation of the said village of Mount Vernon.'"

"An act to authorize and direct the Comptroller to receive, audit and credit to the county treasurer of the county of Richmond arrears of taxes upon lands of non-residents in said county for the years 1873, 1874, 1875 and 1876."

"An act to authorize the trustees of the Grosvenor library, in the city of Buffalo, to sell certain real estate, and to perfect the title to the same; and to amend the law respecting the maintenance of said library."

"An act authorizing the construction and management of a railroad from Lake Champlain to Dennamora prison."

"An act to reduce the number composing the board of education of Gowanda Union Free School district No. 1, composed of parts of the towns of Persia and Perrysburgh, in Cattaraugus county, and of a part of the town of Collins, in Erie county."

"An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the power of the corporation of said village,' passed April 3, 1861."

"An act to create a board of alms, and to secure the better application of funds to relieve the poor in the town of German Flats, in the county of Herkimer."

"An act for the relief of Sophia Dale, widow of James Alexander Gavin, late of the city of Brooklyn, county of Kings and State of New York."

"An act in relation to the city court of Yonkers."

"An act to amend an act entitled 'An act to incorporate the Hall Association of the Order der Freiheit of the city of Buffalo,' passed April 11, 1870."

"An act to release the interest of the people of the State of New York in certain real estate in the town of Hempstead, in Queens county, to Richard Ingraham."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Speaker presented a communication from the common council of the city of Rochester, remonstrating against any contraction of the present limits of the city; which was read and laid upon the table.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Rowland, Int. No. 757, entitled "An act to exempt from tax the overflowed lands of the commissioners having in charge the improvement of the Oswegatchie river from taxation," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. E. Taylor, Int. No. 842, entitled "An act in relation to the manual labor school upon the Tonawanda reservation," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was

referred the bill introduced by Mr. North, Int. No. 50, entitled "An act to establish uniformity of text-books in the common schools of the State, and to make them free of copyright in their publication and use by the people of the State, reported adversely thereto, which report was agreed to.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Day, Int. No. 149, entitled "An act in relation to the construction of a sewer in the city of Buffalo," reported adversely thereto, which report was agreed to.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Flynn, Int. No. 858, entitled "An act for the relief of John McCann," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Keator, Int. No. 253, entitled "An act supplemental to chapter 29 of the Laws of 1865, in relation to the payment of bounties," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Keator, Int. No. 880, entitled "An act to repeal sections 2, 3 and 4 of chapter 296 of the Laws of 1874, entitled 'An act to subject the real and personal property of the New York and Oswego Midland Railroad Company to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal on certain town bonds,'" reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Searing, Int. No. 662, entitled "An act to further amend chapter 692 of the Laws of 1866, entitled 'An act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,'" reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Meyenborg, Int. No. 868, entitled "An act in relation to the term of office of the keeper of the morgue of Kings county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Clark, Int. No. 846, entitled "An act to provide for the distribution of the acts of the Legislature to town clerks' offices," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Marvin, Int. No. 91, entitled "An act to provide for the support, treatment and care of pauper, destitute and delinquent children," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham moved to discharge the committee of the whole from the further consideration of Assembly bill 580, entitled "An act for the

relief of the Canterbury Fire Department Company, and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Foster, Int. No. 841, entitled "An act to amend an act relating to elections in the city of New York," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act in relation to elections in the city of Albany, and to provide for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage thereat," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Flynn, Int. No. 574, entitled "An act to transfer the care and control of Bedford avenue, in the city of Brooklyn, to the park commissioners of said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clapp, from the committee on banks, to which was referred the Senate bill introduced by Mr. Wendover, Int. No. 193, entitled "An act in relation to trust companies and certain other moneyed corporations," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fitzgerald called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 305, No. 260, entitled "An act to amend chapter 691 of the Laws of 1865, entitled 'An act to amend an act entitled 'An act to amend an act for the incorporation of companies formed to navigate the lakes and rivers, passed April 15, 1854,' and to amend an act entitled 'An act to amend an act entitled 'An act for the incorporation of companies to navigate the lakes and rivers, passed April 15, 1854,' passed April 15, 1861.'"

G. O. 416, No. 371, entitled "An act to enable the park commissioners of the city of Buffalo to transfer to said city their jurisdiction and control over certain lands taken for a park and laid out by said commissioners as part of Delaware street."

G. O. 364, No. 320, entitled "An act to enable the board of education of the city of Brooklyn to sell certain land."

G. O. 417, No. 372, entitled "An act authorizing the Buffalo City Cemetery to convey to the city of Buffalo certain land for a street."

G. O. 418, No. 373, entitled "An act authorizing a change of boundary between the park under the jurisdiction and control of the park commissioners of the city of Buffalo and the lands of the Buffalo City Cemetery."

G. O. 458, No. 411, entitled "An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies" [With amendments.]

G. O. 468, No. 416, entitled "An act to protect spawning fish in the Hudson river."

G. O. 511, No. 450, entitled "An act to extend and define the liberties of the jail of the county of Ulster."

G. O. 525, No. 460, entitled "An act to secure the payment of laborers, mechanics, merchants, traders and persons furnishing materials

towards the performing of any public work in the cities of the State of New York."

G. O. 527, No. 462, entitled "An act to amend an act passed January 18, 1832, entitled 'An act to revise and amend the act entitled 'An act to authorize the building of a toll bridge over the Hudson river, passed April 2, 1825, and the act amendatory thereof, passed May 2, 1829.'"

G. O. 534, No. 461, entitled "An act to amend section 9, chapter 90 of the Laws of 1869, entitled 'An act to provide for improvement of the navigation of the Rackett river and of the hydraulic power thereon, and to check freshets therein.'"

G. O. 538, No. 472, entitled "An act to amend title 6, chapter 1, part 4, section 2 of the Revised Statutes, entitled 'Of offenses punishable by imprisonment in a county jail and by fine.'"

Senate, G. O. —, No. 202, entitled "An act to amend chapter 268 of the Laws of 1877, entitled 'An act in relation to the collection of taxes and the sales of land therefor in certain towns of Queens county.'"

Senate, G. O. 406, No. 115, entitled "An act to legalize and confirm the official acts of William W. Snow as trustee and president of the board of trustees of the village of Oneonta, in the county of Otsego."

Senate, G. O. 465, No. 116, entitled "An act to repeal section 8, chapter 36, Laws of 1863, entitled 'An act authorizing the village of West Troy to pave Broad street therein from Auburn street to its southern terminus; to procure a steam fire engine and the necessary hose, hose carriage, lot and engine-house for the same, and to borrow money for such purposes; also empowering the said village to light the streets thereof, and that the police constables of said village be uniformed and wear the badge of office.'"

Senate, G. O. 504, No. 114, entitled "An act to amend chapter 230 of the Laws of 1850, entitled 'An act to amend an act to incorporate the village of West Troy, and for other purposes,' passed April 30, 1836."

The question being on agreeing to said report,

Mr. Alvord moved to disagree with so much of said report as relates to Senate bills Nos. 116 and 114, and that said bills be recommitted to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said report, excepting so much thereof as relates to Senate bills Nos. 116 and 114, and it was determined in the affirmative, and said bills ordered engrossed and to a third reading.

Mr. Flynn offered, for the consideration of the House, a resolution in the words following :

Resolved, That when this House adjourns to-day, it adjourn to meet Monday evening at half-past seven o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. S. V. R. Miller introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. Foster offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 475, entitled "An act to amend chapter 309 of the Laws of 1877, entitled 'An act making an appropriation to pay the expenses of the collector of tolls, superintendence, ordinary repairs, and maintenance of canals for the fiscal year commencing on the first day of October, 1877,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced the order of business, general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act entitled 'An act for the better preservation of life in hotels in the State of New York.'"

Senate, "An act to provide for the review and correction of illegal, erroneous and unequal assessments."

"An act to provide for the collection and payment of the assessment for the improvement of a public highway or avenue from Prospect park, in the city of Brooklyn, toward Coney Island, in the county of Kings, known as the Ocean parkway, laid out and improved pursuant to chapter 861 of the Laws of 1869, as amended by chapter 726 of the Laws of 1872."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Purdy, from said committee, reported progress on said named bills, and asked and obtained leave to sit again.

Mr. Niven moved that the committee of the whole be discharged from the further consideration of the second named bill, and that the same be ordered to a third reading.

Debate arising thereon,

Mr. Roberts moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to aid motion of Mr. Niven, and it was determined in the negative, as follows:

AYES 33.

NOES 62.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HENRY	NOYES	SHANLEY
ALVORD	CROWLEY	HOLAHAN	PARKER	STRACK
BATHE	FLYNN	KERN	PRESCOTT	J. T. TAYLOR
BERGEN	FOSTER	MCDONOUGH	PURDY	TERRY
BERRIGAN	GALVIN	J. H. MILLER	SAWYER	VALENTINE
BROWNING	GRADY	MEYENBORG	SEEBACHER	WORTH
BURNS	I. I. HAYES	NIVEN		

Those who voted in the negative, were

ANDREWS	DEYOE	JONES	MOOERS	SEARING
ASTOR	FISH	KEATOR	NEILSON	SHEARD
BAKER	FLOYD-JONES	KEEGAN	NELSON	SKINNER
BEARD	GILBERT	KELLOGG	NORTH	STORY
BOUCK	GRAHAM	KING	PALMER	THOMSON
BRUNDAGE	GRIGGS	LOVELAND	PATTENGILL	TOWNSLEY

CASE	HALLIDAY	LOWING	PATTERSON	WHEELER
CHAPPELL	HAMILTON	MAPES	CICERO C. PECK	WILBOR
CLANCY	HAVENS	MATTISON	DEWITT C. PECK	WILLERS
CLARK	HEPBURN	MEAD	POOL	WILLIAMS
CORMACK	HOBBIE	MEKEEL	PROPER	WILLIS
COSAD	HOLBROOK	S. V. R. MILLER	ROBERTS	WINCH
CURRAN	HURD			

Mr. Hepburn moved to recommit said bill to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Wheeler offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 395, G. O. 441, entitled "An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie, and to consolidate with it other acts relating to said city,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Converse, Int. No. 207, entitled "An act for the relief of the Port Byron free school district in the town of Mentz, in the county of Cayuga" (recommitted, retaining its place on general orders), reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Douglass moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 12 o'clock and 15 minutes, the House adjourned.

MONDAY, APRIL 22, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Samuel E. Smith.

The journal of Friday, April 19, was read and approved.

Mr. Speaker announced, pursuant to ninth joint rule, the order of business, third reading of bills.

The bill entitled "An act to amend chapter 62 of the Laws of 1877, entitled 'An act to amend chapter 341 of the Laws of 1872, entitled 'An act in reference to the Young Men's Association for mutual improvement, in the city of Albany,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ALLEN	DEYOE	HOLBROOK	MEYENBORG	SHELDON
ALVORD	DOUGLASS	HOYT	NEILSON	SKINNER
BEARD	FISH	HULME	NELSON	STORY
BERRIGAN	FLOYD-JONES	HURD	NOYES	STRACK

BERRY	FLYNN	JONES	PALMER	TERRY
BOUCK	FOSTER	KEEGAN	PARKER	THAIN
BROWNING	GALVIN	KELLOGG	PATTENGILL	THOMSON
BURNS	GILBERT	KERN	CICERO C. PECK	TOWNSLEY
CHAPPELL	GRAHAM	KING	PEEK	VALENTINE
CHASE	GRIGGS	LOVELAND	REYNOLDS	WARING
CLANCY	HALLIDAY	LOWING	ROBERTS	WEMPLE
CLARK	HAMILTON	MAPES	SEARING	WILBOR
CONVERSE	HAVENS	MATTISON	SEEBACHER	WILLERS
CORMACK	HEPBURN	MEKEEL	SHANLEY	WILLIS
CURRAN	HOBBIE	S. V. R. MILLER	SHEARD	WINCH
DALY	HOLAHAN	MOLLER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Leave of absence was granted to Messrs. Williams and Niven.

Mr. Kern moved to lay all orders of business on the table down to general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The bill entitled "An act to provide for the better protection of property and life in the State of New York, from the rapid spread of fires through steam elevator passages or flues," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 1.

Those who voted in the affirmative, were

ALLEN	DALY	HOBBIE	MEEKEL	SHELDON
ALVORD	DEYOE	HOLAHAN	S. V. R. MILLER	SKINNER
BAKER	DOUGLASS	HOYT	MOLLER	STORY
BEARD	FISH	HULME	MEYENBORG	STRACK
BERRIGAN	FLOYD-JONES	HURD	NOYES	TERRY
BERRY	FLYNN	JONES	PALMER	THAIN
BOUCK	FOSTER	KEEGAN	PARKER	THOMSON
BROWNING	GALVIN	KELLOGG	PATTENGILL	VALENTINE
BURNS	GILBERT	KERN	PEEK	WARING
CHAPPELL	GRADY	KING	REYNOLDS	WEMPLE
CHASE	GRAHAM	LOVELAND	ROBERTS	WILBOR
CLANCY	GRIGGS	LOWING	SEARING	WILLERS
CLARK	HALLIDAY	MAPES	SEEBACHER	WILLIS
CONVERSE	HAVENS	MATTISON	SHANLEY	WINCH
CORMACK	HENRY	MCDONOUGH	SHEARD	WORTH
CURRAN	HEPBURN			

For the negative,

HOLBROOK

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Sheard offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 378, entitled "An act to amend section 28, chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" and that the same do now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ALLEN	DALY	HOYT	NELSON	SLITER
ALVORD	DEYOE	HULME	NOYES	STORY
BAKER	FISH	HURD	PALMER	STRACK
BEARD	FLOYD-JONES	JONES	PARKER	TERRY
BERGEN	FOSTER	KEEGAN	PATTENGILL	THAIN
BERRIGAN	GALVIN	KELLOGG	CICERO C. PECK	THOMSON
BERRY	GILBERT	KERN	PEEK	TOWNSLEY
BOUCK	GRADY	KING	PROPER	VALENTINE
BROWNING	GRAHAM	LOVELAND	REYNOLDS	WARING
BURNS	GRIGGS	LOWING	ROBERTS	WEMPLE
CHAPPELL	HALLIDAY	MAPES	SEARING	WILBOR
CHASE	HAMILTON	MCDONOUGH	SEEBACHER	WILLERS
CLANCY	HAVENS	MEKEEL	SHANLEY	WILLIS
CONVERSE	I. I. HAYES	S. V. R. MILLER	SHEARD	WINCH
CORMACK	HOBBIE	MOLLER	SHELDON	WORTH
CURRAN	HOLAHAN	MEYENBORG	SKINNER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act transferring a portion of the Chemung canal to the city of Elmira for street purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ALLEN	DEYOE	HOLAHAN	MEYENBORG	SHEARD
ALVORD	DOUGLASS	HOLBROOK	NELSON	SHELDON
BAKER	FISH	HOYT	NOYES	SKINNER
BEARD	FLOYD-JONES	HULME	PALMER	SLITER
BERGEN	FOSTER	HURD	PARKER	STORY
BERRIGAN	FRANK	JONES	PATTENGILL	STRACK
BERRY	GALVIN	KEEGAN	PATTERSON	TERRY
BOUCK	GILBERT	KELLOGG	CICERO C. PECK	THAIN
BROWNING	GRADY	KERN	PEEK	THOMSON
BURNS	GRAHAM	KING	PROPER	TOWNSLEY
CHAPPELL	GRIGGS	LOVELAND	REYNOLDS	VALENTINE
CHASE	HALLIDAY	LOWING	ROBERTS	WARING
CLANCY	HAMILTON	MAPES	ROWLAND	WEMPLE
CLARK	HAVENS	MATTISON	SAWYER	WILBOR
CONVERSE	I. I. HAYES	MCDONOUGH	SEARING	WILLIS
CORMACK	HENRY	MEKEEL	SEEBACHER	WINCH
CURRAN	HEPBURN	S. V. R. MILLER	SEWELL	WORTH
DALY	HOBBIE	MOLLER	SHANLEY	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to create a police pension fund for disabled and retired policemen in the city of New York," having been announced for a third reading,

Mr. Fish moved to recommit said bill to the committee on affairs of cities, with instructions to amend the same as follows, and report said bill back to the House forthwith:

Section 16, after the words "deem best," insert the following: "They shall report in detail to the common council of the city of New York annually, in the month of January, the condition of the police pension fund, and the items of their receipts and disbursements on account of the same."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, reported said bill back to the House, amended as instructed.

Mr. Daly moved to recommit said bill to the committee on affairs of cities, with instructions to amend the same as follows, and report back said bill forthwith:

Add, at the end of section 5, the following: "In case any officer shall have voluntarily left the police department and enlisted in the United States service and served during the war of the rebellion and received an honorable discharge and afterward shall have been reinstated in the police department, the time of his service in the army shall be considered as a portion of his service in the police department."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, reported back said bill, amended as instructed by the House.

Mr. Fish moved to recommit said bill to the committee on affairs of cities, with instructions to amend the same as follows, and report said bill forthwith:

Section 3, line 20, strike out the words "the sum," and insert in lieu thereof the words "a sum not to exceed."

Section 4, line 13, strike out the words "not exceeding," and insert the word "of."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, reported back said bill, amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79.

NOES 1.

Those who voted in the affirmative, were

ALLEN	DALY	HOLBROOK	MOLLER	SHELDON
ALVORD	DEYOE	HOYT	MEYENBORG	SKINNER
BAKER	FISH	HULME	NELSON	SLITER
BEARD	FLOYD-JONES	HURD	NOYES	STORY
BERGEN	FOSTER	JONES	PALMER	STRACK
BERRIGAN	GALVIN	KEEGAN	PARKER	TERRY
BERRY	GILBERT	KELLOGG	PATTENGILL	THAIN
BOUCK	GRADY	KERN	PEEK	TOWNSLEY
BROWNING	GRAHAM	KING	REYNOLDS	VALENTINE

BURNS	GRIGGS	LOVELAND	ROBERTS	WARING
CHAPPELL	HALLIDAY	LOWING	ROWLAND	WEMPLE
CHASE	HAMILTON	MAPES	SEARING	WILBOR
CLARK	HAVENS	MATTISON	SEEBACHER	WILLIS
CONVERSE	I. I. HAYES	MCDONOUGH	SEWELL	WINCH
CORMACK	HENRY	MEKEEL	SHANLEY	WORTH
CURRAN	HOBBIE	S. V. R. MILLER	SHEARD	

For the negative,

THOMSON

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

By unanimous consent,

Mr. Cormack offered, for the consideration of the House, a resolution in the words following :

Resolved, That Senate bill (not printed), G. O. 392, entitled "An act to alter the boundary line between the towns of Davenport and Meredith, in the county of Delaware," be, and it is hereby substituted for Assembly bill No. 426, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to create a board of park commissioners, and to provide for the care, government, protection and improvement of the public park known as Ross park, in the city of Binghamton."

"An act to amend section 7 of title 13 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled "An act to amend chapter 457 of the Laws of 1865, entitled 'An act to incorporate the city of Newburgh,'" with a message that they had reconsidered the vote on the final passage of said bill, and had passed the same as amended by the Assembly.

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to protect the Seaside boulevard and meadows adjacent thereto on the south shore of Staten Island, and to prevent the same from being injured or overflowed by the waters of the bay of New York."

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to consolidate the general acts relating to public instruction.'"

"An act to amend article 5, of title 1, chapter 16 of part first of the Revised Statutes."

"An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor."

"An act to amend chapter 42 of the Laws of 1856, entitled 'An act to incorporate the College of Pharmacy of the city of New York,' passed March 20, 1856."

"An act releasing the interest of the people of the State of New York in certain real estate to Christian Spiess."

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' so far as the same relates to the village of Northville, in the county of Fulton."

"An act to reappropriate certain moneys in the treasury of the State heretofore appropriated for the improvement of the Champlain canal."

"An act to amend chapter 118 of the Laws of 1873, entitled 'An act to provide for the construction and improvement of the road from Piseco Lake to Claffin's tannery, in the county of Hamilton.'"

"An act to amend section 2, chapter 33 of the Laws of 1878, entitled 'An act to amend chapter 516 of the Laws of 1867, entitled An act for the further protection of female employes in the city of New York,'"

"An act to repeal chapter 416 of the Laws of 1876, entitled 'An act to amend chapter 440 of the Laws of 1873, entitled An act requiring commissioners of highways to act as inspectors of plankroads and turn-pikes, so far as the same relates to Ulster county.'"

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Alvord moved to lay all orders of business on the table down to general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to regulate the practice of dentistry in this State."

"An act to abolish the office of Canal Appraiser."

"An act to require incorporated companies and joint stock associations in this State to make, annually, an exhibit of the condition and business of such corporation or company."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Chase, from said committee, reported progress on the first named bill, and asked leave to sit again.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the negative.

Mr. Alvord moved to recommit said bill to the committee on general laws, with instructions to strike out the enacting clause.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion to recommit, and it was determined in the affirmative.

Mr. Case, from the same committee, also reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Case, from the same committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Browning offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 340, G. O. 383, entitled "An act supplemental to chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' " be recommitted to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Berry called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 234, No. 204, "An act to extend the jail limits of Orange county."

G. O. 435, No. 390, "An act to amend chapter 436 of the Laws of 1877,

entitled 'An act in relation to county treasurers,' so far as the same relates to the county of Oswego."

G. O. 439, No. 393, "An act authorizing the conveyance of certain portions of the Chenango canal." [With amendments.]

G. O. 519, No. 454, "An act releasing the interests of the State in certain lands of which Patrick Kinney died possessed, to John Kinney, James Kinney and Patrick Kinney, his children and heirs-at-law."

G. O. 477, No. 424, "An act to amend an act passed April, 1862, entitled 'An act for the better protection of life and property in the city of New York.'" [With amendments.]

G. O. 491, No. 436, "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'" [With an amendment.]

G. O. 523, No. 458, "An act to amend an act entitled 'An act to legalize the adoption of minor children by adult persons.'"

G. O. 378, No. 335, "An act supplemental to chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations.'"

G. O., 522, No. 457, "An act to regulate and control the raising and expending of the public moneys in the county of Kings."

G. O. 494, No. 439, "An act to facilitate the making proofs of discharge from State prison upon a trial for second offenses." [With an amendment.]

The question being on agreeing to said report,

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills ordered engrossed, and to a third reading.

Mr. Berry also called from the table the report in the words following:

G. O. 537, No. 471, "An act to amend chapter 833 of the Laws of 1873, entitled 'An act to regulate the fees of coroners.'"

G. O. 514, No. 451, "An act in relation to insurance." [With an amendment.]

G. O. 344, No. 299, "An act in relation to the regrading and paving Grand street from Union avenue to Bushwick avenue, in the city of Brooklyn, with Belgian pavement."

G. O. 483, No. 429, "An act to empower the trustees of the village of Horseheads to build a dam across the Chemung canal, at any place they may select south of the junction of the Chemung canal and feeder, within the limits of the corporation of the village of Horseheads."

G. O. 361, No. 317, "An act declaring certain waters of Stocking run and Conhocton river a public highway."

G. O. 495, No. 440, "An act to provide compensation for referees in certain cases."

Senate, G. O. 461, No. —, "An act to change the corporate name of the Mercantile Library Association of the city of Brooklyn."

Senate, bill No. 8, G. O. 219, "An act for the relief of the Buffalo Eye and Ear Infirmary."

The question being on agreeing to said report,

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills ordered engrossed, and to a third reading.

Mr. Alvord moved that hereafter, on Tuesday and Thursday, the House commence its morning session at half-past nine, A. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Hepburn introduced a bill entitled "An act to further amend chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Grady moved to recommit Assembly bill entitled "An act to amend an act entitled 'An act to legalize the adoption of minor children by adult persons,'" to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Moller introduced a bill entitled "An act to annex the village of West Mount Vernon, in the county of Westchester, to the village of Mount Vernon in said county, to confirm the tax sales heretofore held in said village of West Mount Vernon, and to provide for the division of the said village of Mount Vernon in wards, after the annexation of the said village of Mount Vernon," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Moller, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Nelson introduced a bill entitled "An act to extend the time for the collection of taxes in the county of Rockland," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Moller, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ALLEN	COSAD	HOLAHAN	NEILSON	SHELDON
ALVORD	CURRAN	HOLBROOK	NELSON	SKINNER
BAKER	DALY	HOYT	NORTH	SLITER
BEARD	DEYOE	HULME	NOYES	STORY
BERGEN	DOUGLASS	JONES	PALMER	STRACK
BERRIGAN	FLOYD-JONES	KEEGAN	PARKER	TERRY
BERRY	FOSTER	KELLOGG	PATTENGILL	THAIN
BOUCK	GILBERT	KING	CICERO C. PECK	THOMSON
BROWNING	GRADY	LOVELAND	POOL	TOWNSLEY
BRUNDAGE	GRAHAM	LOWING	PROPER	VALENTINE
BURNS	GRIGGS	MATTISON	ROBERTS	WARING
CHAPPELL	HALLIDAY	MCDONOUGH	ROWLAND	WEMPLE
CHASE	HAMILTON	MEKEEL	SAWYER	WILBOR
CLANCY	HAVENS	S. V. R. MILLER	SEARING	WILLERS
CLAPP	I. I. HAYES	MOLLER	SEEBACHER	WILLIS
CLARK	HENRY	MOOERS	SEWELL	WINCH
CONVERSE	HEPBURN	MEYENBORG	SHEARD	WORTH
CORMACK	HOBBIIE			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Gilbert introduced a bill entitled "An act to amend section 10 of chapter 254 of the Laws of 1874, entitled 'An act concerning the laws, journals and documents of the legislature,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. C. C. Peck introduced a bill entitled "An act to release the interest of the People of the State of New York in certain real estate in the counties of Greene and Delaware to Julia E. Stewart," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent,

Mr. Waring introduced a bill entitled "An act to amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Worth introduced a bill entitled "An act to amend an act entitled 'An act in relation to the Brooklyn, Winfield and Newtown Railroad Company,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Worth, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Bergen introduced a bill entitled "An act to authorize the Brooklyn Market Company to construct a tunnel under the canal at Wallabout bay," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bergen, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Thain introduced a bill entitled "An act to repeal chapter 370 of the Laws of 1866, entitled 'An act to alter the map or plan of the city of New York, and to discontinue certain proposed streets,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also a bill entitled "An act authorizing the audit of the claim of the Eleventh regiment, National Guard of the State of New York, for uniforms and equipments worn out in the United States service during the late war," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Mapes, Int. No. 385, entitled "An act to establish a bureau of labor statistics," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to authorize and require the Secretary of State to collect and report labor statistics," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the Senate bill, Int. No. 168, entitled "An act to amend chapter

436 of the Laws of 1877, entitled 'An act in relation to county treasurers,' reported in favor of the passage of the same with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Graham introduced a bill entitled "An act to empower the district attorney of the several counties in this State, except the counties of New York and Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Alvord, and at 9 o'clock and 30 minutes, the House adjourned.

TUESDAY, APRIL 23, 1878.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Fish, offered for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 209, entitled "An act to repeal a part of an act entitled 'An act to repeal certain acts and parts of acts,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced, pursuant to ninth joint rule, the order of business, third reading of bills.

Mr. Alvord moved to lay all orders of business on the table for the purpose of taking up general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Clancy offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 478, G. O. 544, entitled "An act to amend an act passed April, 1862, entitled 'An act for the better protection of life and property in the city of Brooklyn,'" and that said bill be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Meyenborg introduced a bill entitled "An act in relation to licensing carmen, truckmen and expressmen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to provide for a better administration of the public charities in the county of Kings, and for the creation of a department of public charities therein."

"An act to provide for the collection and payment of the assesment for the improvement of a public highway or avenue from Prospect park, in the city of Brooklyn, toward Coney Island, in the county of Kings, known as the Ocean Parkway, laid out and improved pursuant to chapter 861 of the Laws of 1869, as amended by chapter 726 of the Laws of 1872."

Senate "An act to furnish approved arms to the Albany Burgesses Corps."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Duell, from said committee, reported progress on the first and second named bills, and asked and obtained leave to sit again.

Mr. Bergen moved to discharge the committee of the whole from the further consideration of said second mentioned bill, and that the same be ordered to a third reading, with the amendments offered by him in the committee of the whole.

Mr. Worth moved to amend by recommitting said bill to the committee on affairs of cities, retaining its place on general orders.

Debate arising thereon,

Mr. Worth moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put ?" and it was decided in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion to recommit, and it was determined in the negative, as follows:

AYES 45.

NOES 54.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HAVENS	MEYENBORG	TERRY
BATHE	CROWLEY	HENRY	NORTH	THOMSON
BERRIGAN	DOUGLASS	HOLAHAN	ROWLAND	WARING
BERRY	DUELL	HULME	SHANLEY	WILBOR
BROOKS	FLOYD-JONES	JONES	SHEARD	WILLERS
CLANCY	FLYNN	LANGNER	SHELDON	WILLIAMS
CLAPP	FRANK	MCDONOUGH	SKINNER	WILLIS
CLARK	GALVIN	MEKEEL	SUTHERLAND	WINCH
CONVERSE	GILBERT	MOLLER	E. TAYLOR	WORTH

Those who voted in the negative, were

ALLEN	COSAD	HOBBIE	MAPES	PROPER
ALVORD	CURRAN	HOLBROOK	MEAD	ROBERTS
ANDREWS	DEYOE	HOYT	J. H. MILLER	SAWYER
ASTOR	FISH	HURD	S. V. R. MILLER	SEARING
BAKER	FOSTER	KEATOR	MOORS	SEEBACHER
BEARD	GRAHAM	KEEGAN	NEILSON	SEWELL
BERGEN	GRIGGS	KELLOGG	NELSON	STORY
CASE	HALLIDAY	KERN	NOYES	J. T. TAYLOR
CHAPPELL	HAMILTON	KING	PALMER	TOWNSLEY
CHASE	I. I. HAYES	LOVELAND	PATTENGILL	VALENTINE
CORMACK	J. HAYES	LOWING	PRESCOTT	

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Bergen, and it was determined in the affirmative, and said bill was then ordered engrossed for a third reading.

Mr. Duell, from the same committee, also reported in favor of the passage of the last named bill, which report was agreed to, and the same ordered to a third reading.

Mr. Alvord offered, for the consideration of the House, a privileged resolution in the words following :

Resolved, (If the Senate concur) That a respectful message be sent to the Governor, requesting the return of Assembly bill Int. No. 196, not yet printed, entitled "An act to legalize the proceedings of the school commissioner of the second commissioner district of the county of Onondaga, in the formation of School district No. 29 in the town of Onondaga, in said county," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Waring moved to discharge the committee of the whole from the further consideration of the Assembly bill entitled "An act to provide for a better administration of the public charities in the county of Kings, and for the creation of a department of public charities therein," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Browning offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill No. 381, entitled "An act in relation to the principals of the schools under the charge of the board of education of the city of New York," be recommitted to the committee on education, the same to retain its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Wemple moved that the Assembly bill entitled "An act to classify the board of trustees of 'The Clinton Liberal Institute,' and to provide for the election of said trustees," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Henry offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill No. 483, entitled "An act regulating the rates of compensation to be paid to railroad companies for the transportation of milk," be referred to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

By unanimous consent;

Mr. I. I. Hayes moved that the committee of the whole be discharged from the further consideration of Assembly bill No. 338, G. O. 381, entitled "An act to provide means for the equipment and furnishing of the building erected on that portion of Central Park, in the city of New York, under the provisions of chapter 290 of the Laws of 1871, for the purposes of a museum and gallery of art," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act in relation to the Union Ferry Company of Brooklyn."

"An act to incorporate the New York and Western Pipe Company."

"An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the national guard of the State of New York, and for the public defense, and entitled the Military Code.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Andrews, from said committee, reported progress on the first and last named bills, and asked and obtained leave to sit again.

Mr. Andrews, from the same committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Husted moved to discharge the committee of the whole from the further consideration of the last named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, and said bill was then ordered engrossed for a third reading.

Mr. Husted moved to recommit said bill to the committee on militia, for amendment, retaining its place on the order of third reading of bills.

Mr. Clancy moved that the committee of the whole be discharged from the further consideration of Assembly bill entitled "An act in relation to the Union Ferry Company of Brooklyn," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. I. I. Hayes moved that Assembly bill No. 476, G. O. 542, entitled "An act reappropriating money for the payment of sums due to contractors for new work upon, and extraordinary repairs of the canals," be ordered to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act relating to the State survey, and making appropriation therefor."

"An act in relation to the issue and sale of ferry tickets by the Union Ferry Company of Brooklyn."

"An act reappropriating money for the payment of sums due to contractors for new work upon, and extraordinary repairs of the canals."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Brundage, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and said bill ordered to a third reading.

Mr. Brundage, from the same committee, also reported in favor of the passage of the second and last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act authorizing the Syracuse, Chenango and New York Railroad Company to use, occupy and enjoy the towing path of a portion of the Chenango canal."

"An act relating to the board of county canvassers of the city and county of New York."

"An act to provide for a revision and codification of the poor laws of this State."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Mattison, from said committee, reported in favor of the passage of the first and second named bills, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Mattison, from the same committee, also reported progress on the last named bill, and asked and obtained leave to sit again.

In connection with said bill, Mr. Brooks offered the following preamble and resolution :

Whereas, Great abuses and errors still exist in administration of public relief, leading to an increase of crime, pauperism, intemperance and idiocy ; and

Whereas, One exciting cause of pauperism and crime is homeless and abandoned children, born of abandoned fathers and mothers, leading vagrant and idle lives, caused by a course of immoral and sensual living, leading to entailed pauperism ; and

Whereas, An examination of our poor-house system shows a probable dependence in the future of 86 per cent. of persons in the poor-houses of the State ; and

Whereas, A progeny of idiots have been born, and are being born in some of our poor-houses ; be it therefore

Resolved (if the Senate concur), First, That the receiving of parents and children in the same poor-houses, and children in any poor-house, is a prolific source of evil, and one which ought to be removed by the authorities in every town in the State.

Resolved (if the Senate concur), Second, That pauperism is increased by bad systems of poor-house management, and that it is the duty of the town authorities to reform and remove the errors and abuses which have led to the increase of pauperism in the State.

Resolved (if the Senate concur), Third, That as primary elements of reform, a uniform system of labor, cleanliness in minute particulars, entire temperance, and the separation of families with any tendencies to idiocy or insanity, are essential to the public and private good in the treatment of poverty and crime.

Resolved (if the Senate concur), Finally, That the Board of State Charities be requested to continue their valuable and instructive examinations as to the causes of pauperism in the State, and report the facts and conclusions from time to time to the next or succeeding Legislatures.

Mr. Alvord moved that said bill, with the foregoing preamble and resolutions, be referred to the committee on the judiciary, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Flynn offered for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Assembly Bill (not printed), general order 605, entitled "An act for the relief of John McCann," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence, a resolution in the words following :
Resolved, That a respectful message be sent to the Assembly, requesting the return to the Senate of Assembly bill No. 222, entitled "An act in relation to the payment of railroad fares."

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

Also, a resolution in the words following :

Resolved (if the Assembly concur), That William F. Allen, George H. Andrews and A. S. Thurston, be and they are hereby appointed a committee whose duty it shall be to prepare and present to the next Legislature, within thirty days after it convenes, a bill in relation to the assessment and taxation of property in this State, which shall contain provisions providing what kind or species of property shall be assessed or taxed for State purposes, and what kind or species of property shall hereafter be taxed for county and local purposes, and generally to revise and so amend the present assessment law of the State of New York, to the end that each kind or species of property may be made to pay its proper proportion of the taxes now levied for all purposes. And to relieve and equalize property now unduly and improperly compelled to bear the burden of taxation.

Ordered, That said resolution be laid upon the table.

Also, a resolution in the words following :

Resolved (if the Assembly concur), That 1,500 copies of the Thirty-first Annual Report of the State Museum of Natural History, of the Regents of the University with accompanying documents, be printed and bound for the use of the Regents, and 300 copies for the use of the Director.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Speaker presented a communication from the surrogate (Delano C. Calvin) of the city of New York, in the words following :

SURROGATE'S OFFICE, NEW YORK, *April 22, 1878.*

To the Hon. JAS. W. HUSTED, *Speaker of the Assembly* :

HONORABLE AND DEAR SIR—I am in receipt of a copy of a resolution of your honorable Assembly, calling for certain information respecting the administration of the surrogate's office of New York, over which I have the honor to preside :

I shall most cheerfully give the information asked, at the earliest practicable moment, and am making such progress as my available clerical force will permit, consistent with the urgent demands of daily business. Yet it is my duty to say, that it could not be furnished within the time fixed by the resolution if all of my clerical force were put upon it, thus suspending all the current business of the office, to the incalculable loss of the public. But which you can approximate when you reflect that this office does more than one-fourth of all the surrogates' business of the State of New York, and has, within the last two years, dealt with pecuniary interests amounting to at least three times that of all the other surrogates of the State.

The information sought will require the examination of all the orders and decrees made and entered in this office during the last two years, amounting to about ten thousand ; and it is proper that I should say, for the information of the Assembly, that I have no power to increase my clerical force or the expenses of the office.

I therefore respectfully request that the time to make my report be enlarged. A moment's reflection will convince the members of your honorable body, that the information asked by the resolution will afford no means of judging whether the allowances of fees and costs to auditors, attorneys, etc., were or were not reasonable, for the obvious reason, that you will not be in possession of any facts respecting the services rendered, the character of the estate, the proceedings taken, or the amounts or questions involved.

As your resolution does not call for this information, and it is necessary in order that the inquiry may serve some beneficial purpose, I venture respectfully to suggest that the resolution be so enlarged as to embrace the whole subject, and thus enable me to give it by your authority.

Will you be pleased to submit this matter to your House, for such action as it may seem to deserve?

I am, most respectfully and faithfully,
 DELANO C. CALVIN, *Surrogate*.

Mr. Brooks moved that ten days' more time be granted the surrogate, so as to furnish the necessary information.

Mr. Strack moved to amend said resolution so as to include appraisers.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Strack, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Brooks, as amended, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to change the location of one of the bridges over the Champlain canal," with a message that they had concurred in the passage of the same, with the following amendment:

Section 1, line 6, strike out the word "in," and insert in lieu thereof the word "from."

The amendment having been read,

Mr. Speaker put the question whether the house would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HULME	NELSON	STRACK
ALLEN	FISH	JONES	PALMER	SUTHERLAND
ALVORD	FLOYD-JONES	KEATOR	CICERO C. PECK	E. TAYLOR
ANDREWS	FLYNN	KEEGAN	PRESCOTT	J. T. TAYLOR
BAKER	FOSTER	KELLOGG	PROPER	TERRY
BATHE	GALVIN	KERN	ROBERTS	THAIN
BEARD	GILBERT	KING	ROWLAND	THOMSON
BERGEN	GRADY	LANGNER	SAWYER	VALENTINE
BERRIGAN	GRAHAM	LOVELAND	SEARING	WARING
BERRY	GRIGGS	LOWING	SEEBACHER	WHEELER
BROOKS	HALLIDAY	MATTISON	SEWELL	WILBOR
BROWNING	HAVENS	MCDONOUGH	SHEARD	WILLERS
CASE	HENRY	J. H. MILLER	SHELDON	WILLIAMS
CHAPPELL	HEPBURN	MOLLER	SKINNER	WILLIS
CLAPP	HOBBIE	MOOERS	SLITER	WINCH
CLARK	HOLBROOK	MEYENBORG	STORY	WORTH
CORNACK	HOYT			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate returned the bill entitled "An act to amend subdivision 2 of section 5 of title 1, chapter 13, part 1 of the Revised Statutes of the State of New York," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 1, strike out the word "five," and insert in lieu thereof the word "four."

Amend the title so as to read: "An act to amend subdivision 2 of section 4 of title 1, chapter 13, part 1 of the Revised Statutes."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HAMILTON	S. V. R. MILLER	SHEARD
ALLEN	CORMACK	HAVENS	MOLLER	SHELDON
ALVORD	COSAD	HENRY	MOOERS	SKINNER
ANDREWS	CURRAN	HEPBURN	MEYENBORG	STRACK
BAKER	DALY	HOBBIE	NELSON	SUTHERLAND
BATHE	DOUGLASS	HOYT	NORTH	E. TAYLOR
BEARD	DUELL	HULME	NOYES	J. T. TAYLOR
BERGEN	FISH	JONES	PALMER	THAIN
BERRY	FLOYD-JONES	KEATOR	PATENGILL	THOMSON
BROOKS	FLYNN	KELLOGG	PEEK	VALENTINE
BROWNING	FOSTER	KEEN	PRESCOTT	WARING
BURNS	GALVIN	KING	ROBERTS	WEMPLE
CASE	GILBERT	LANGNER	ROWLAND	WILLERS
CHAPPELL	GRADY	LOVELAND	SAWYER	WILLIAMS
CHASE	GRAHAM	LOWING	SEARING	WILLIS
CLAPP	GRIGGS	MAPES	SEEBACHER	WINCH
CLARK	HALLIDAY	J. H. MILLER	SEWELL	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments:

The Senate returned the bill entitled "An act to amend chapter 702 of the Laws of 1870, entitled 'An act to amend the charter of Little Falls,' passed May 6, 1870," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 1, after the word "of" insert the words "chapter 702 of the Laws of 1870, entitled 'An act to amend the charter of Little Falls,'" and strike out the words "the act to amend the charter of the village of Little Falls, passed May 6, 1870."

Amend the title by striking out the concluding words "passed May 6, 1870."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HEPBURN	MOOERS	STORY
ALLEN	CORMACK	HOBBIE	MEYENBORG	STRACK
ALVORD	COSAD	HOLBROOK	NELSON	SUTHERLAND
ANDREWS	CRAWFORD	HOYT	NOYES	E. TAYLOR

BAKER	CURRAN	HULME	PALMER	J. T. TAYLOR
BATHE	DUELL	JONES	PATTENGILL	TERRY
BEARD	FISH	KELLOGG	PEEK	THAIN
BERGEN	FLOYD-JONES	KERN	ROBERTS	THOMSON
BERRY	FOSTER	KING	ROWLAND	VALENTINE
BROOKS	FRANK	LANGNER	SAWYER	WARING
BROWNING	GALVIN	LOVELAND	SEARING	WEMPLE
BURNS	GILBERT	LOWING	SEEBACHER	WILBOR
CASE	GRAHAM	MATTISON	SEWELL	WILLERS
CHAPPELL	GRIGGS	MEAD	SHANLEY	WILLIAMS
CHASE	HALLIDAY	J. H. MILLER	SHEARD	WILLIS
CLAPP	HAMILTON	S. V. R. MILLER	SHELDON	WINCH
CLARK	HENRY	MOLLER	SKINNER	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend chapter 505 of the Laws of 1873, entitled 'An act to re-organize the village of Gloversville,'" with a message that they had concurred in the passage of the same, with the following amendment:

Section 1, line 11, after the word "appointed" insert the words "after the expiration of the terms of office of the present incumbents."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HEPBURN	MEYENBORG	SKINNER
ALLEN	CURRAN	HOBBIE	NELSON	SUTHERLAND
ALVORD	DALY	HOYT	NORTH	E. TAYLOR
ANDREWS	DUELL	HULME	NOYES	J. T. TAYLOR
BAKER	FISH	JONES	PARKER	TERRY
BATHE	FLYNN	KELLOGG	PATTENGILL	THAIN
BEARD	FRANK	KERN	CICERO C. PECK	THOMSON
BERGEN	GALVIN	KING	PEEK	VALENTINE
BERRIGAN	GILBERT	LANGNER	PRESCOTT	WARING
BERRY	GRADY	LOVELAND	ROWLAND	WEMPLE
BURNS	GRAHAM	LOWING	SAWYER	WILBOR
CASE	GRIGGS	MATTISON	SEARING	WILLERS
CHAPPELL	HALLIDAY	MEAD	SEEBACHER	WILLIAMS
CHASE	HAVENS	MEKEEL	SHANLEY	WILLIS
CLAPP	I. I. HAYES	J. H. MILLER	SHEARD	WINCH
CLARK	HENRY	MOOERS	SHELDON	WORTH
CONVERSE				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate returned the bill entitled "An act to authorize the commissioners of the sinking fund of the city and county of New York to convey certain lands to the 'Home for Aged and Infirm Hebrews of New York,'" with a message that they had concurred in the passage of the same, with the following amendment:

Section 1, strike out all after the words "or conveyed," in line 15, and insert the words "except on such terms as the common council of said city may by resolution determine."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 77.

NOES 7.

Those who voted in the affirmative, were

ABBOTT	CLARK	HOLBROOK	NEILSON	SKINNER
ALLEN	CONVERSE	HOYT	NELSON	SUTHERLAND
ALVORD	CORMACK	HULME	NORTH	E. TAYLOR
ANDREWS	COSAD	KEATOR	NOYES	J. T. TAYLOR
BAKER	CURRAN	KERN	PARKER	TERRY
BATHE	DAY	KING	PATTENGILL	THAIN
BEARD	FLOYD-JONES	LANGNER	CICERO C. PECK	THOMSON
BERGEN	FRANK	LOWING	PEEK	WARING
BERRY	GALVIN	MAPES	ROWLAND	WEMPLE
BROWNING	GILBERT	MATTISON	SAWYER	WILBOR
BURNS	GRADY	MCDONOUGH	SEARING	WILLERS
CASE	GRAHAM	MEAD	SEEBACHER	WILLIAMS
CHAPPELL	HALLIDAY	MEKEEL	SHANLEY	WILLIS
CHASE	HAMILTON	J. H. MILLER	SHEARD	WINCH
CLANCY	HAVENS	MOOERS	SHELDON	WORTH
CLAPP	I. I. HAYES			

Those who voted in the negative, were

DALY	HOBBIE	MOLLER	PRESCOTT	STRACK
FISH	JONES			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act for the incorporation of district number one, of the Independent Order of Benai Berith, and to authorize other corporations, incorporated societies or other associations to give and transfer property to, or wholly to consolidate with the corporation hereby created," with a message that they had concurred in the passage of the same, with the following amendment:

Strike out all after the enacting clause, and insert as follows:

"SECTION 1. Julius Bien, Dr. Sigismund Waterman, Moritz Ellinger, Morris Goodhart, Henry S. Herman, Adolph L. Sanger, Sigismund Hamburger, Mayer Thalmessinger, Solomon Sulzberger, Joseph Koch, Leopold L. Fleischman, Louis Lewengood, Dr. E. Gutmann, Simon W. Rosendale, William H. Stiner, Moses Minzesheimer, Louis Wollstein, Simon M. Roeder, Joseph Sulzberger, Louis Schnabel, Beno Horwitz, S. M. Lyon, Jacob Goodfriend, S. H. Seligman, Max Wash, Joseph Davis, Leo Foehrding, Arthur J. Levy, Henry W. Cane, Morris Ballin, Joseph B. Falk, Abram Emanuel, Gerson N. Herman, M. Putzel, J. Lederer, Myer Hellman, S. M. Valkenberg, Herman Meyers, Ferdinand Kurzman, Joseph H. Stiner, Charles Rothschild, Marcus Berliner, H. Wasserman, and all who now are, or may become, associated with them or their successors, are hereby created and constituted a body politic and corporate, by the name and title of District Number One of the Independent Order Benai Berith, and as such shall have perpetual succession and be able to sue and be sued in all courts of record, and they and their successors may have and use a common seal, and alter and renew the same at pleasure, and for the purpose of their incorporation as hereinafter named, to purchase and receive, take and hold lands, tenements and hereditaments, goods, money, chattels, and all kinds of estate, which they may obtain by gift, grant, devise or bequest, to secure and lawfully vest its funds as said corporation may be advised and to establish and erect any building or buildings which the said corporation may deem necessary for the purpose of their incorporation as hereinafter named, and the said lands, tenements and hereditaments, goods, money, chattels, property,

estate and buildings, to sell, alien, devise or convey as the interests of said organization may require; provided, always, that the clear yearly income of the real and personal estate held by said corporation shall not, at any time, exceed the sum of seventy-five thousand dollars.

“§ 2. The objects of said organization are hereby declared to be for the cultivation and promotion of charity and benevolence, and moral, mental and social culture among its members, their mutual benefit, in case of sickness or distress, and provision for their widows and orphans by means of endowments, and to provide a proper edifice or edifices in which members of the independent order of Benai Berith, or any of their families, who, through protracted illness, old age, or extraordinary occurrences, have become unable to work and to gain a livelihood, and their orphan children, may find a home and an asylum. The principal business office of said corporation shall be located in the city of New York.

“§ 3. The said corporation may, from time to time, adopt such constitution, rules and by-laws for carrying into effect the objects stated in section two, and for defining the qualifications and terms of membership, the election and appointment of officers and agents of the corporation with suitable compensation for services, which shall not be inconsistent with the laws of this State or of the United States.

“§ 4. The management and disposition of the affairs of this organization shall be vested in such officers and board of managers as may be annually elected or appointed, in the mode provided in the constitution and by-laws of the said organization, and who shall hold their office until others are elected or appointed in their stead.

“§ 5. Any corporation, incorporated society or other association in this State, may, at any time hereafter, and in any manner, transfer to the corporation hereby created, any of its funds or property in aid of the objects for which this present corporation is created. And the corporation hereby created, and any other corporation, incorporated society or voluntary association in this State, created or intended in whole or in part for any of the purposes as provided for in section second of this act, may, by agreement of their respective boards of trustees, become consolidated and merged in the corporation hereby created, on such terms as may be deemed proper, and the terms of such consolidation shall be binding and effective as if inserted in this present act, and upon such merger, and by force thereof, the property, effects, and estate of the corporation, society or association so consolidating, shall, ipso facto, and without any further transfer, be and become the property and estate of the corporation hereby created, on the like trusts, and for the like purposes, and to the like intents as held by the body transferring a consolidation by virtue of this section.

“§ 6. This act shall take effect immediately.”

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT
ALLEN
ALVORD

DAY
DUELL
FISH

HOLBROOK
HOYT
HULME

NELSON
NORTH
NOYES

STRACK
SUTHERLAND
E. TAYLOR

BAKER	FLOYD-JONES	JONES	PATTENGILL	J. T. TAYLOR
BATHE	FOSTER	KEEGAN	PEEK	THAIN
BEARD	FRANK	KELLOGG	PRESCOTT	THOMSON
BERGEN	GILBERT	KERN	ROWLAND	WARING
BERRY	GRADY	KING	SAWYER	WEMPLE
CASE	GRAHAM	LANGNER	SEARING	WILBOR
CLANCY	GRIGGS	MAPES	SEEBACHER	WILLERS
CLAPP	HALLIDAY	MEAD	SHANLEY	WILLIAMS
CLARK	HAMILTON	MEKEEL	SHEARD	WILLIS
CONVERSE	HAVENS	J. H. MILLER	SHELDON	WINCH
CORMACK	I. I. HAYES	MOLLER	SKINNER	WORTH
CURRAN	HEPBURN	MOOERS	STORY	SPEAKER
DALY	HOBBIE	MEYENBORG		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate returned the bill entitled "An act for the protection of graves in cemeteries," with a message that they had concurred in the passage of the same, with the following amendment:

Section 1, strike out all after the word "taken," in line 8, down to and including the word "placed," in line 14.

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOBBIE	MOOERS	SKINNER
ALLEN	CURRAN	HOLBROOK	MEYENBORG	STORY
ALVORD	DALY	HOYT	NELSON	STRACK
ANDREWS	DUELL	HULME	NORTH	SUTHERLAND
BAKER	FISH	JONES	NOYES	E. TAYLOR
BERRY	FLOYD-JONES	KEATOR	PARKER	J. T. TAYLOR
BROOKS	FLYNN	KELLOGG	PATTENGILL	TERRY
BROWNING	FOSTER	KERN	CICERO C. PECK	THAIN
BRUNDAGE	GALVIN	KING	PEEK	THOMSON
CASE	GRADY	LANGNER	PRESCOTT	WEMPLE
CHAPPELL	GRAHAM	LOVELAND	SAWYER	WILBOR
CHASE	GRIGGS	LOWING	SEARING	WILLERS
CLAPP	HALLIDAY	MATTISON	SEWELL	WILLIAMS
CLARK	HAMILTON	MEAD	SHANLEY	WILLIS
CONVERSE	I. I. HAYES	MEEKEL	SHEARD	WINCH
CORMACK	HEPBURN	J. H. MILLER	SHELDON	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.'

The Senate returned the bill entitled "An act to legalize and confirm the official acts of Norman F. M. Clute, William Marsh and F. T. Pier-son, justices of the peace of the town of Rotterdam, in the county of Schenectady," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 2, change the name of "Norman F. M. Clute," to Norman M. F. Clute."

Amend the title in the same manner.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HALLIDAY	MEKEEL	SHELDON
ALLEN	CONVERSE	HAMILTON	MOOERS	SKINNER
ALVORD	CORMACK	I. I. HAYES	MEYENBORG	SUTHERLAND
ANDREWS	CRANDALL	HEPBURN	NORTH	E. TAYLOR
BAKER	CURRAN	HOBBIE	NOYES	J. T. TAYLOR
BEARD	DALY	HOLBROOK	PALMER	TERRY
BERGEN	DEYOE	HOYT	PARKER	THAIN
BERRIGAN	DUELL	HULME	PATTENGILL	THOMSON
BERRY	FISH	JONES	CICERO C. PECK	WARING
BROOKS	FLOYD-JONES	KELLOGG	PRESCOTT	WEMPLE
BROWNING	FOSTER	KERN	ROWLAND	WILBOR
BRUNDAGE	FRANK	KING	SAWYER	WILLERS
CASE	GALVIN	LANGNER	SEEBACHER	WILLIAMS
CHAPPELL	GILBERT	LOWING	SEWELL	WILLIS
CHASE	GRAHAM	MATTISON	SHANLEY	WINCH
CLAPP	GRIGGS	MEAD	SHEARD	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend chapter 150 of the laws of 1837, entitled 'An act authorizing the loan of certain moneys belonging to the United States, deposited with the State of New York for safe keeping,'" with a message that they had stricken out the enacting clause.

Mr. Speaker presented a communication from the State Engineer and Surveyor, in reply to a resolution of the Assembly, relative to the expense of the engineer's department.

On motion of Mr. Alvord, said communication was referred to the committee on canals and ordered printed.

(See Doc. No. 123.)

The Senate sent for concurrence the bills entitled as follows:

"An act to legalize the acts of surrogates and officers acting as such, in granting letters of administration, and to provide for the issuing of such letters in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize a change in the location of the Albany and Greenbush bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Graham offered for the consideration of the House, a concurrent resolution in the words following:

Whereas, The "centennial" of the adoption of the first Constitution of the State of New York, and the inauguration of the State government thereunder, at Kingston, Ulster county, was appropriately recognized by the New York Historical Society, and afterward duly celebrated at Kingston; and,

Whereas, The "centennial" of the battles of Fort Stanwix, and Oriskany, and Bemis Heights, as well as the battle of Saratoga, were all appropriately celebrated (on the grounds which had been made famous forever in our history) by military display, and the patriotic addresses of distinguished orators and statesmen, and by the inspiring tributes of our poets; therefore, be it

Resolved (if the Senate concur), That the Secretary of State cause to be prepared and published, in appropriate manner and style, a full and

correct record of the proceedings at all said "centennial" celebrations, including therein the official action of the authorities by whom the same were conducted, a statement of the military exercises, and the organizations taking part therein, all historical sketches read, and all addresses and poems prepared and delivered at the several centennial celebrations, and that five thousand copies of the same be prepared and published as aforesaid, five copies thereof to be furnished to each member, officer and reporter of the Legislature, and to each member of the State government; one thousand copies to be furnished to the State library for exchanges, and for other libraries in this State, and the remainder to be used by the Secretary of State in supplying persons who made addresses at such celebrations, and the persons officially connected therewith, and to such other persons or institutions as he may deem proper, said work to be compiled and executed under the supervision of the Secretary of State, and to be let by him to the lowest responsible bidder; but the entire expense thereof shall not exceed the sum of six thousand dollars.

Ordered, That said resolution be referred to the committee on public printing.

The Speaker and Clerk, with the consent of the House, referred the following bills to the sub-committee of the whole:

Senate, G. O. 480 (not printed), "An act to alter the boundary line between the towns of Davenport and Meredith in the county of Delaware."

Senate, G. O. 561, No. 138, "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

Senate, G. O. 579, No. 210, "An act to change the boundary of the village of Hempstead in the county of Queens."

Senate, G. O. 595, No. 189, "An act to establish and settle the bulk-head and pier lines for Newtown creek in the port of New York."

Senate, G. O. 571, No. 224, "An act in relation to the term of office of the clerk of the board of supervisors of Kings county."

Senate, G. O. 585, No. 239, "An act relating to the assessment for Prospect park in the city of Brooklyn."

Senate, G. O. 492, No. 150, "An act to amend chapter 150 of the Laws of 1837, entitled 'An act authorizing a loan of certain moneys belonging to the United States, deposited with the State of New York for safe keeping.'"

Senate, G. O. 572, No. 166, "An act to amend section 9 chapter 83 of the Laws of 1869, entitled 'An act to provide for improvement of Grass river, and of the water power thereon, and to check freshets therein.'"

Senate, G. O. 442, No. 62, "An act in relation to the payment of assessments for local improvements in the city of New York."

Senate, G. O. 486, No. 161, "An act to incorporate the Grand Council of Royal Templars of Temperance of the State of New York."

Senate, G. O. 599, No. 84, "An act to amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious Society of Friends.'"

G. O. 578, No. 499, "An act to amend chapter 241 of the Laws of 1877, entitled 'An act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance.'"

G. O. 590, No. 506, "An act in relation to the assessment for the repavement of Atlantic avenue with granite pavement in the city of Brooklyn."

G. O. 589, No. 505, "An act to incorporate the Grand Lodge of the Order Berith Abraham of the State of New York."

G. O. 587, No. 503, "An act to further amend the act, entitled 'An act for the protection of private parks and grounds, and to encourage the propagation of fish and game,' passed April 21, 1871, and amended by chapter 347 of the Laws of 1876."

G. O. 581, No. 501, "An act to amend chapter 401 of the Laws of 1877, entitled 'An act to amend chapter 767 of the Laws of 1872, entitled An act to establish the compensation of county judges and surrogates, pursuant to the 15th section of the amended 6th article of the constitution.'"

G. O. 577, No. 498, "An act to extend the charter of the Saratoga Lake bridge company."

G. O. 570, No. 495, "An act in relation to the bonded debt of the town of White Plains, in the county of Westchester."

G. O. 567, No. 494, "An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act, entitled An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof."

G. O. 560, No. 490, "An act to provide for and to encourage the construction of sidewalks in certain road districts in the town of Sidney, Delaware county."

G. O. 559, No. 489, "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof.'"

G. O. 555, No. 488, "An act to reduce the number of managers of the Charity Foundation of Protestant Episcopal church in the city of Buffalo."

G. O. 554, No. 487, "An act to incorporate the General Council of the Methodist Episcopal Ministers' National Mutual Aid association, and to provide for the organization of subordinate chapters."

G. O. 550, No. 484, "An act to confirm the official acts of Ralph L. Cook as notary public of Kings county."

G. O. 545, No. 479, "An act to amend an act, entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire alarm telegraph, the encumbrance of hydrants and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city.'"

G. O. 543, No. 477, "An act to provide for the construction of storm or surface water sewers in the city of Brooklyn."

G. O. 535, No. 469, "An act in relation to actions of partition."

G. O. 523, No. 458, "An act to amend an act, entitled 'An act to legalize the adoption of minor children by adult persons.'"

G. O. 502, No. 446, "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and the acts amendatory thereof."

G. O. 508, No. 447, "An act requiring receivers of corporations to make reports."

G. O. 487, No. 432, "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

G. O. 485, No. 431, "An act to amend chapter 482, Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of

local legislation and administration, and to regulate the compensation of supervisors.’”

G. O. 481, No. 427, “An act to facilitate the proper disposition of funds deposited in the insurance department for the security of policyholders in life insurance companies.”

G. O. 473, No. 420, “An act for the distribution of the funds now in the insurance department, which funds now stand to the credit of the National Life Insurance company of New York, for the security of its policyholders.”

G. O. 410, No. 365, “An act for the relief of the Lutheran cemetery in the town of Newtown, in the county of Queens.”

G. O. 394, No. 349, “An act additional to chapter 320 of the Laws of 1872, entitled ‘An act to amend an act relating to the rates of wharfage and to regulate piers, wharves, bulkheads and slips in the cities of New York and Brooklyn,’ passed May 6, 1870.”

G. O. 357, No. 313, “An act to amend an act, entitled ‘An act to provide security against extraordinary conflagrations, and for the creation of safety funds by fire insurance companies,’ passed April 16, 1874.”

G. O. 341, No. 296, “An act for the relief of the Port Byron free school district, in the town of Menitz, in the county of Cayuga.”

A message from the Senate was received and read informing of concurrence in the passage of the resolution entitled as follows :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill Int. No. 196 (not printed), entitled “An act to legalize the proceedings of the school commissioner of the second commissioner district of the county of Onondaga, in the formation of school district No. 29, in the town of Onondaga, in said county,” for amendment.

Mr. Alvord moved that this House stands in recess until half-past four, P. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 2 o'clock, the House took a recess until half-past 4 P. M.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

The privileges of the floor were granted to the Hon. Luke Ranney.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

“An act to amend an act entitled ‘An act to incorporate the New York Real Estate Exchange,’ passed May 9, 1867 ; also the act entitled ‘An act to incorporate the New York Real Estate Exchange in the city of New York,’ passed May 6, 1870, and to incorporate the New York Real Estate Exchange, and to designate the place of judicial sales of real estate in the city of New York.”

“An act to incorporate the Greenport Wharf Company.”

“An act to amend chapter 863 of the Laws of 1873, entitled ‘An act to amend the charter of the city of Brooklyn,’ passed June 28, 1873.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Flynn, from said committee, reported in favor of the passage

of the first and last named bills, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Flynn, from the same committee, also reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Speaker presented the Annual Report of the Homœopathic Medical Society ; which was laid upon the table, and ordered printed.

The Private Secretary of His Excellency the Governor appeared before the bar of the House and presented a message in words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *April* 23, 1878. }

To the Assembly :

I return without approval Assembly bill No. 178, entitled "An act in regard to the Union Free School District No. 1, in the village of Fort Edward, and to authorize the board of education thereof to contract with the Fort Edward collegiate institute for the use of certain rooms in said institute for school purposes and for the instruction of pupils therein."

The bill provides that the board of education of Union Free School District No. 1, of the village of Fort Edward, may contract with the Fort Edward collegiate institute (a private corporation) for the use by the free school of rooms to be provided in a building to be erected by the institute ; the contract to be on such terms and for such a period of years as may be agreed upon by the owners of the private academy and the public school authorities. The contract is to be submitted to the inhabitants of the district entitled to vote at school meetings. If approved by them, the annual rent agreed to be paid is to be a charge upon the district, and the board of education is authorized to levy taxes for the amount, without further submission to the tax-payers, every year that the contract may run. No limit is imposed by the bill on the length of time for which the contract may be made.

The building belonging to the institute has been destroyed by fire and it is about to erect a new one. In this it is proposed to set apart rooms for the use of the public school, notwithstanding that the latter has a building of its own. My objections are these :

First. The general school law (section 19 of chapter 567 of the Laws of 1875) provides a sufficient remedy for cases of school houses becoming overcrowded. The trustees are empowered to hire rooms temporarily. There is no necessity for giving to this one district the special power to make a permanent lease, as proposed by the bill. And it is obvious that the providing of rooms, in a building yet to be erected, will not relieve any existing need of the district. If there be no such existing and instant need, then a contract for the use of rooms for many years to come, at a permanent cost to the tax-payers, is without excuse.

Second. The Fort Edward collegiate institute is a private academy, taking pupils for pay. There are obvious objections to the mingling of the pupils of our free schools with those of private schools under one roof. The two systems have antagonistic features and both will work better apart.

Third. The bill is in violation of the spirit of the Constitution, which forbids the use of public moneys, obtained by taxing the people, in aid of a private undertaking. It seems plain to me that the object of the bill is to secure to the collegiate institute a fixed income for a long period of years out of the taxes of the district.

L. ROBINSON.

Mr. Terry moved that said bill, with message, be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A communication was received and read, from the Governor, in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 23, 1878. }

To the Assembly :

In accordance with a joint resolution of the Senate and Assembly, I return for amendment Assembly bill (not printed), entitled "An act to legalize the proceedings of the school commissioner of the second commissioner district of the county of Onondaga, in the foundation of School District No. 29, in the town of Onondaga in said county.

L. ROBINSON.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HOYT	NELSON	STRACK
ALVORD	CONVERSE	HULME	NORTH	SUTHERLAND
ANDREWS	CORMACK	JONES	NOYES	E. TAYLOR
ASTOR	CRAWFORD	KEATOR	PALMER	TERRY
BAKER	DALY	KEEGAN	PARKER	THAIN
BEARD	FISH	KELLOGG	CICERO C. PECK	THOMSON
BERGEN	FITZGERALD	KERN	DEWITT C. PECK	TOWNSLEY
BERRY	FLOYD-JONES	KING	PRESCOTT	VALENTINE
BROOKS	FOSTER	LOVELAND	ROBERTS	WARING
BROWNING	FRANK	MAPES	ROWLAND	WEMPLE
BRUNDAGE	GALVIN	S. V. R. MILLER	SAWYER	WILLERS
BURNS	GRIGGS	MOLLER	SEARING	WILLIAMS
CHAPPEL	HAMILTON	MOOERS	SHELDON	WILLIS
CHASE	HAVENS	MEYENBORG	SKINNER	WINCH
CLANCY	HOBBIE	NEILSON	STORY	WORTH
CLAPP	HOLBROOK			

On motion of Mr. Alvord, and by unanimous consent, said bill was amended as follows :

Section 1, line 13, engrossed bill, after the word "costs," insert the words "or any legal rights."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DAY	HOLBROOK	NOYES	SHELDON
ALVORD	DEYOE	HOYT	PALMER	SKINNER
ANDREWS	DUELL	HULME	PARKER	STORY
ASTOR	FISH	JONES	PATTENGILL	SUTHERLAND
BEARD	FLOYD-JONES	KEEGAN	CICERO C. PECK	E. TAYLOR
BERRY	FOSTER	KELLOGG	DEWITT C. PECK	TERRY
BROOKS	FRANK	KING	PEEK	THOMSON

BROWNING	GALVIN	LOWING	PRESCOTT	TOWNSLEY
BRUNDAGE	GRADY	J. H. MILLER	ROBERTS	WARING
BURNS	GRAHAM	S. V. R. MILLER	ROWLAND	WEMPLE
CHAPPELL	HALLIDAY	MOLLER	SAWYER	WILBOR
CHASE	HAMILTON	MOOERS	SEARING	WILLERS
CLAPP	HAVERNS	MEYENBORG	SEEBACHER	WILLIAMS
CLARK	HEPBURN	NEILSON	SEWELL	WILLIS
CORMACK	HOBBIE	NELSON	SHANLEY	WINCH
COSAD	HOLAHAN	NORTH	SHEARD	WORTH
CRAWFORD				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

“An act to make the office of attorney and counsel to the corporation in Long Island city elective.”

“An act to open the college of the city of New York to all male persons who shall pass the preliminary examinations for admission therein.”

“An act to amend chapter 30 of the Laws of 1876, entitled ‘An act to amend chapter 520 of the Laws of 1870, entitled ‘An act to establish and maintain a police force in the city of Troy,’ and to increase the powers and duties of the police commissioners of said city,’ passed February 28, 1876.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sutherland, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Sutherland, from the same committee, also reported in favor of the passage of the two last named bills, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

“An act to amend chapter 739 of the Laws of 1857, entitled ‘An act to authorize the formation of town insurance companies.’”

“An act to authorize the Pennsylvania and New York Petroleum Transportation Company to use, occupy and enjoy the bed and banks of the Genesee Valley canal for certain purposes.”

“An act to regulate the quality, supply and price of illuminating gas, and for the protection of manufacturers and consumers thereof.

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Story, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Story, from the same committee, also reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Kern moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading, with the amendments adopted in the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Story, from the same committee, also reported progress on the last named bill, and asked leave to sit again.

Mr. Douglass moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Clapp moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 6 o'clock and 40 minutes, the House adjourned.

WEDNESDAY, APRIL 24, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Upson.

The journal of yesterday was read and approved.

The privileges of the floor were granted to the Hon. Kneeland Townsend; also, to Hon. Geo. Foster.

Leave of absence was granted to the Hon. D. W. C. Peck.

Mr. Alvord offered, for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That there be appointed a committee of three from the Senate and three from the Assembly, of which committee the temporary President of the Senate and the Speaker of the Assembly shall each be one, to act without compensation as an advisory committee only, to the Board of Commissioners of the New Capitol in the selection of the style and kind of furniture, and in the arrangement of the same, for both the Senate and Assembly chambers in the New Capitol.

Ordered. That said resolution be laid upon the table.

The Senate returned the bill entitled as follows:

"An act for the protection of graves in cemeteries."

"An act to amend chapter 702 of the Laws of 1870, entitled 'An act to amend the charter of Little Falls.'"

"An act to change the location of one of the bridges over the Champlain canal."

"An act to amend subdivision 2 of section 4 of title 1, chapter 13, part 1 of the Revised Statutes."

"An act to amend chapter 505 of the Laws of 1873, entitled 'An act to re-organize the village of Gloversville.'"

"An act to authorize the commissioners of the sinking fund of the city and county of New York to convey certain lands to the 'Home for Aged and Infirm Hebrews of New York.'"

"An act to legalize and confirm the official acts of Norman M. F. Clute, William Marsh, and F. T. Pierson, justices of the peace of the town of Rotterdam, in the county of Schenectady."

Ordered. That the Clerk deliver said bills to the Governor.

Mr. E. Taylor introduced a bill entitled "An act conferring additional powers upon the trustees of the village of Le Roy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Mapes introduced a bill entitled "An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' and the various acts amendatory thereof, or relating to the city of Rochester,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Frank introduced a bill entitled "An act to extend the operation and effect of the act passed February 17, 1848, and the several acts amendatory thereto, 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Astor introduced a bill entitled "An act to amend the name of the Veteran Corps of the National Guard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Fitzgerald introduced a bill entitled "An act in relation to the paving of Fifth avenue in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Gilbert, Int. No. 896, entitled "An act to amend section 10 of chapter 254 of the Laws of 1847, entitled 'An act concerning the laws, journals and documents of the Legislature,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Gilbert, and by unanimous consent, said bill was ordered to a third reading.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Halliday, Int. No. 861, entitled "An act to release to Alice Casey the right, title and interest of the people of the State of New York, in and to certain real estate in the town of Dryden, county of Tompkins," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. McCarthy, Int. No. 112, entitled "An act in relation to evidence in civil and criminal cases," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Robertson, Int. No. 149, entitled "An act to authorize the Attorney-General, the Superintendent of Public Works, and the Superintendent of State Prisons to have official seals," reported in favor of the passage of the same, with an amendment, and the title amended so as to read "An act to authorize the Attorney-General, the Superintendent of Public Works, the Superintendent of State Prisons, and the State Treasurer to have official seals," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Harris, Int. No. 115, entitled "An act relative to the justices of the supreme court in the third judicial district," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Thain, Int. No. 899, entitled "An act to

repeal chapter 390 of the Laws of 1866, entitled 'An act to alter the map or plan of the city of New York, and to discontinue certain proposed streets,' reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill Int. No. 120, entitled "An act to amend chapter 282 of the Laws of 1852, entitled 'An act defining the exemptions from taxation on public buildings in the city of New York,' and to extend the provisions thereof to the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Alvord, Int. No. 587, entitled "An act relative to the sale of native wines, ale and lager beer," reported adversely thereto, which report was agreed to.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Rowland, Int. No. 652, entitled "An act to repeal subdivision 18 of section 21, chapter 406 of the Laws of 1873, relating to licenses of saloons and eating-houses in the city of Ogdensburgh," reported adversely thereto.

On motion of Mr. Rowland, and by unanimous consent, said report was disagreed to, and said bill was ordered to a third reading.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Moller, Int. No. 702, entitled "An act to re-enact and amend an act entitled 'An act to amend an act entitled An act to incorporate the village of White Plains, passed April 3, 1866,' passed April 22, 1867," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 518 of the Laws of 1867, entitled 'An act to amend an act entitled An act to incorporate the village of White Plains,' and chapter 409 of the Laws of 1873, entitled 'An act further to amend the charter of the village of White Plains in the county of Westchester,'" which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Moller, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and it was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HAMILTON	MEYENBORG	SKINNER
ALLEN	CONVERSE	HOBBIIE	NEILSON	SLITER
ALVORD	CORMACK	HOLAHAN	NELSON	STORY
ANDREWS	CURRAN	HOYT	NORTH	SUTHERLAND
ASTOR	DEYOE	HULME	NOYES	E. TAYLOR
BAKER	DOUGLASS	HURD	PALMER	J. T. TAYLOR
BEARD	DUELL	JONES	PARKER	THOMSON
BERRIGAN	FISH	KEEGAN	PATTENGILL	TOWNSLEY
BERRY	FLOYD-JONES	KELLOGG	PEEK	VALENTINE
BOUCK	FLYNN	KERN	POOL	WADSWORTH
BROWNING	FOSTER	KING	PRESCOTT	WARING

BRUNDAGE	FRANK	LANGNER	PROPER	WEMPLE
BURNS	GALVIN	LOVELAND	ROBERTS	WILBOR
CASE	GRADY	MATTISON	ROWLAND	WILLERS
CHAPPELL	GRAHAM	MCDONOUGH	SEARING	WILLIAMS
CHASE	GRIGGS	MOLLER	SEWELL	WINCH
CLANCY	HALLIDAY	MOOERS	SHELDON	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Williams, from the committee on roads and bridges, to which was referred the Senate bill introduced by Mr. Turner, Int. No. 180, entitled "An act declaring both branches of the Oswegatchie, river in the towns of Croghan and Diana, Lewis county, public highways," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the Senate bill introduced by Mr. Wagner, Int. No. 185, entitled "An act to prevent the avoiding or passing the gate of the Half-moon Bridge Company without payment of toll," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. H. Miller, from the committee on game laws, to which was referred the bill introduced by Mr. Shanley, Int. No. 872, entitled "An act for the preservation of fish, and to prevent the deposit of carrion or any deleterious substance on any fishing grounds, or in any rivers, creeks or waters within or adjacent to the county of Kings," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. H. Miller, from the committee on game laws, to which was referred the bill introduced by Mr. Hobbie, Int. No. 888, entitled "An act to provide for the preservation of fish in Monroe county," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Abbott, from the committee on federal relations, reported a bill entitled "An act to authorize the corporation of the city of New York to sell certain lands to the United States, and ceding jurisdiction thereof," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Abbott, from the committee on federal relations, to which was referred the Senate bill introduced by Mr. Wagstaff, Int. No. 181, entitled "An act concerning the limits and jurisdiction of the State of New York and the State of Connecticut," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Parker, from the committee on the petitions of aliens, to which was referred the bill introduced by Mr. C. C. Peck, Int. No. 892, entitled "An act to release the interests of the people of the State of New York in certain real estate in the counties of Greene and Delaware to Julia E. Stewart," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Parker, from the committee on the petitions of aliens, to which was referred the Senate bill introduced by Mr. Oakley, Int. No. 126, entitled "An act to release the interest of the State in the real estate of which Peter Welden, late of the county of Richmond, died seized, to Patrick Doran," reported in favor of the passage of the same, which

report was agreed to, and said bill committed to the committee of the whole.

Mr. Parker, from the committee on the petitions of aliens, to which was referred the Senate bill introduced by Mr. J. F. Peirce, Int. No. 178, entitled "An act to release the interests of the State of New York in and to certain surplus moneys arising upon the sale of certain land, of which Dedrick Harth died seized," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Parker, from the committee on aliens, to which was referred the Senate bill introduced by Mr. Ecclesine, Int. No. 186, entitled "An act to enable Charles Lanel and his successor to take and hold real estate in the State of New York as trustee, and to sell and convey the same within a limited period notwithstanding his alienage," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. King, from the committee on public health, to which was referred the bill introduced by Mr. Daly, Int. No. 865, entitled "An act to regulate the practice of veterinary medicine and surgery in this State," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Berry presented a report of the sub-committee of the whole; which was laid upon the table and ordered printed.

(See Doc. No. 120.)

Mr. Mooers, from the committee on state prisons, to which was referred the bill introduced by Mr. Browning, Int. No. 804, entitled "An act for the better protection of the mechanics of this State by regulating the use of convict labor in the several prisons of the State, and for other purposes," reported the same, with amendments, for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Alvord called for the enforcement of the ninth joint rule.

Mr. Gilbert moved to lay all orders of business on the table for the purpose of taking up general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Brooks presented a memorial of importers and grocers, asking for the investigation of railroad freights; which was referred to the committee on railroads.

Also, a memorial of citizens and merchants on same subject; which was referred to the committee on railroads.

Also, a memorial to remove spirituous liquors from the State by law; which was referred to the committee on internal affairs.

Mr. Speaker announced, pursuant to ninth joint rule, the order of business, third reading of bills.

The bill entitled "An act to provide for the collection of the unpaid assessments for the opening, regulating and grading of Franklin avenue, in the towns of Flatbush and New Utrecht," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLAHAN	NORTH	SLITER
ALLEN	CORMACK	HOYT	NOYES	STORY
ALVORD	COSAD	HULME	PALMER	STRACK
ANDREWS	CURRAN	JONES	PARKER	SUTHERLAND
ASTOR	DALY	KEATOR	CICERO C. PECK	E. TAYLOR
BAKER	DEYOE	KELLOGG	PEEK	J. T. TAYLOR
BEARD	DELL	KERN	POOL	THAIN
BERGEN	FISH	KING	PRESCOTT	THOMSON
BERRIGAN	FITZGERALD	LANGNER	REYNOLDS	TOWNSLEY
BERRY	FLOYD-JONES	LOVELAND	ROBERTS	VALENTINE
BOUCK	FOSTER	LOWING	ROWLAND	WADSWORTH
BROOKS	GRIGGS	MATTISON	SAWYER	WAKELY
BROWNING	HALLIDAY	MEKEEL	SEARING	WEMPLE
BRUNDAGE	HAMILTON	J. H. MILLER	SEEBACHER	WILBOR
CASE	HAVENS	S. V. R. MILLER	SEWELL	WILLERS
CHAPPELL	J. HAYES	MOLLER	SHANLEY	WILLIS
CHASE	HEPBURN	MOOERS	SHELDON	WINCH
CLAPP	HOBBIE	MEYENBORG	SKINNER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 322 of the Laws of 1869, entitled 'An act to encourage the planting of shade trees along the sides of public highways,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLBROOK	NELSON	SHELDON
ALLEN	COSAD	HOYT	NORTH	SKINNER
ALVORD	CRAWFORD	HULME	NOYES	SLITER
ANDREWS	DAY	JONES	PALMER	STORY
ASTOR	DELL	KEEGAN	PATTENGILL	SUTHERLAND
BAKER	FISH	KERN	CICERO C. PECK	E. TAYLOR
BEARD	FITZGERALD	KING	PRESCOTT	THAIN
BERGEN	FLOYD-JONES	LANGNER	PROPER	THOMSON
BERRIGAN	FOSTER	LOVELAND	REYNOLDS	TOWNSLEY
BERRY	GALVIN	MAPES	ROBERTS	VALENTINE
BOUCK	GRAHAM	MATTISON	ROWLAND	WADSWORTH
BROOKS	GRIGGS	MEKEEL	SAWYER	WAKELY
BROWNING	HAVENS	S. V. R. MILLER	SEARING	WARING
BRUNDAGE	I. I. HAYES	MOLLER	SEEBACHER	WILBOR
CHAPPELL	J. HAYES	MOOERS	SEWELL	WILLERS
CHASE	HEPBURN	MEYENBORG	SHANLEY	WINCH
CLARK	HOLAHAN			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to release the interest of the State, in the real estate, of which Frederick Tornquest, otherwise known as Frederick John Tornquest, late of the city, county and State of New York, died seized, to Annie Tornquest, his widow," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 90. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HEPBURN	MEYENBORG	SHELDON
ALLEN	CRAWFORD	HOLBROOK	NELSON	SKINNER
ALVORD	CURRAN	HOYT	NORTH	SLITER
ASTOR	DALY	HULME	PALMER	STRACK
BAKER	DAY	HURD	PATTENGILL	SUTHERLAND
BEARD	DEUILL	JONES	PATTERSON	E. TAYLOR
BERGEN	FISH	KEATOR	CICERO C. PECK	J. T. TAYLOR
BERRIGAN	FLOYD-JONES	KEEGAN	PEEK	TERRY
BERRY	FLYNN	KERN	PRESCOTT	THAIN
BOUCK	FOSTER	KING	PROPER	THOMSON
BROWNING	GALVIN	LANGNER	REYNOLDS	TOWNSLEY
BRUNDAGE	GILBERT	LOVELAND	ROBERTS	VALENTINE
CASE	GRAHAM	MATTISON	ROWLAND	WADSWORTH
CHAPPELL	GRIGGS	MEKEEL	SAWYER	WAKELY
CHASE	HALLIDAY	J. H. MILLER	SEARING	WILBOR
CLANCY	HAMILTON	S. V. R. MILLER	SEEBACHER	WILLERS
CLARK	I. I. HAYES	MOLLER	SEWELL	WILLIS
CONVERSE	J. HAYES	MOOERS	SHANLEY	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to authorize the Mutual Fire Insurance Company to unite a cash capital, and to provide for its participation in their business," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 86. NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	HOBBIE	S. V. R. MILLER	SHELDON
ALLEN	DAY	HOLAHAN	MOLLER	SKINNER
ALVORD	DEYOE	HOLBROOK	MOOERS	SLITER
ANDREWS	DEUILL	HOYT	NELSON	STORY
ASTOR	FISH	HULME	NORTH	STRACK
BAKER	FITZGERALD	JONES	NOYES	SUTHERLAND
BEARD	FLOYD-JONES	KEEGAN	PALMER	E. TAYLOR
BERRY	FLYNN	KELLOGG	PARKER	J. T. TAYLOR
BOUCK	FOSTER	KERN	CICERO C. PECK	TERRY
BROOKS	GALVIN	KING	POOL	THOMSON
BROWNING	GRAHAM	LANGNER	PRESCOTT	VALENTINE
BRUNDAGE	GRIGGS	LOVELAND	ROBERTS	WADSWORTH
CASE	HAMILTON	LOWING	ROWLAND	WAKELY
CHAPPELL	HAVENS	MATTISON	SEARING	WARING
CHASE	I. I. HAYES	MEAD	SEEBACHER	WILBOR
CLARK	J. HAYES	MEKEEL	SEWELL	WILLERS
CORMACK	HEPBURN	J. H. MILLER	SHANLEY	WINCH
CURRAN				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New York in and to certain real estate in the city of New York, in the State of New York, of which Peter W. Duncan or Eliza Kelly, or both of said persons, died seized and possessed, to the persons who, according to the statutes of this State, would answer the description of heirs-at-law of such deceased persons, whether they were citizens or

aliens, at the time of the death of said Peter W. Duncan or Eliza Kelly," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 91.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOBBIE	MOOERS	STORY
ALLEN	CURRAN	HOLAHAN	MEYENBORG	STRACK
ALVORD	DAY	HOLBROOK	NORTH	SUTHERLAND
ANDREWS	DEYOE	HOYT	NOYES	E. TAYLOR
ASTOR	FISH	JONES	PALMER	J. T. TAYLOR
BAKER	FITZGERALD	KELLOGG	PARKER	TERRY
BEARD	FLOYD-JONES	KERN	PATTENGILL	THAIN
BERGEN	FOSTER	KING	PEEK	THOMSON
BERRY	FRANK	LANGNER	POOL	VALENTINE
BOUCK	GALVIN	LOVELAND	PRESCOTT	WADSWORTH
BROOKS	GRAHAM	LOWING	SAWYER	WAKELY
BROWNING	GRIGGS	MAPES	SEARING	WARING
BRUNDAGE	HALLIDAY	MATTISON	SEEBACHER	WHEELER
BURNS	HAMILTON	MEAD	SEWELL	WILBOR
CASE	HAVENS	MEKEEL	SHANLEY	WILLERS
CHAPPELL	I. I. HAYES	J. H. MILLER	SHELDON	WILLIAMS
CLAPP	J. HAYES	S. V. R. MILLER	SKINNER	WILLIS
CONVERSE	HEPBURN	MOLLER	SLITER	WINCH
CORMACK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the trustees of the village of Valatie to borrow money, to be expended in the purchase of a suitable building and lot for the purpose of a public hall for the use of said village," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HEPBURN	NELSON	SLITER
ALLEN	COSAD	HOBBIE	NORTH	STORY
ASTOR	CURRAN	HOLAHAN	NOYES	STRACK
BAKER	DALY	HOLBROOK	PALMER	SUTHERLAND
BATHE	DAY	HOYT	PARKER	E. TAYLOR
BEARD	DUELL	JONES	PATTERSON	J. T. TAYLOR
BERGEN	FISH	KELLOGG	PEEK	TERRY
BERRIGAN	FITZGERALD	KERN	PRESCOTT	THOMSON
BERRY	FLOYD-JONES	KING	ROBERTS	VALENTINE
BOUCK	FLYNN	LANGNER	ROWLAND	WADSWORTH
BROWNING	FOSTER	LOVELAND	SAWYER	WAKELY
BRUNDAGE	GALVIN	MAPES	SEARING	WARING
BURNS	GRAHAM	MATTISON	SEEBACHER	WILBOR
CASE	GRIGGS	MEKEEL	SEWELL	WILLERS
CHASE	HALLIDAY	J. H. MILLER	SHANLEY	WILLIAMS
CLANCY	HAMILTON	S. V. R. MILLER	SHELDON	WILLIS
CLARK	HAVENS	MOOERS	SKINNER	WINCH
CONVERSE	J. HAYES	MEYENBORG		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to facilitate the discharge of debtors imprisoned by virtue of executions in civil cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 74.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CLARK	GRIGGS	MEAD	SLITER
ALLEN	CONVERSE	HALLIDAY	S. V. R. MILLER	STORY
ANDREWS	CORMACK	HAMILTON	MEYENBORG	STRACK
ASTOR	COSAD	J. HAYES	NELSON	SUTHERLAND
BAKER	CURRAN	HEPBURN	NORTH	E. TAYLOR
BATHE	DAY	HOBBIE	PALMER	J. T. TAYLOR
BEARD	DOUGLASS	HOLAHAN	PEEK	TERRY
BERRIGAN	DUELL	HULME	PRESCOTT	THAIN
BOUCK	FISH	HURD	ROBERTS	THOMSON
BROOKS	FITZGERALD	JONES	ROWLAND	VALENTINE
BROWNING	FLOYD-JONES	KING	SEARING	WAKELY
BURNS	FOSTER	LANGNER	SEEBACHRE	WILBOR
CASE	GALVIN	LOVELAND	SEWELL	WILLIS
CHAPPELL	GILBERT	LOWING	SHELDON	WINCH
CHASE	GRAHAM	MATTISON	SKINNER	

Those who voted in the negative, were

FLYNN	KEEGAN	CICERO C. PECK
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 403 of the Laws of 1868, entitled 'An act to establish and maintain a free bridge between Sag-Harbor and North Haven, in the town of Southampton, Suffolk county, and to make such bridge a county charge,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HAVENS	MEAD	SEEBACHER
ALLEN	CORMACK	I. I. HAYES	J. H. MILLER	SHANLEY
ALVORD	CRAWFORD	J. HAYES	S. V. R. MILLER	SHELDON
ANDREWS	CURRAN	HEPBURN	MOLLER	SKINNER
ASTOR	DAY	HOBBIE	MOOERS	SLITER
BAKER	DUELL	HOLBROOK	MEYENBORG	SUTHERLAND
BATHE	FISH	HOYT	NORTH	E. TAYLOR
BEARD	FITZGERALD	HULME	NOYES	J. T. TAYLOR
BERGEN	FLOYD-JONES	HURD	PALMER	TERRY
BOUCK	FOSTER	JONES	PARKER	THOMSON
BROOKS	FRANK	KELLOGG	CICERO C. PECK	VALENTINE
BRUNDAGE	GALVIN	KERN	PEEK	WADSWORTH
CASE	GILBERT	KING	PRESCOTT	WAKELY
CHAPPELL	GRAHAM	LANGNER	ROBERTS	WILBOR
CHASE	HALLIDAY	LOVELAND	SAWYER	WILLERS
CLARK	HAMILTON	LOWING	SEARING	WILLIS

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 37 of title 1 of chapter 5, part 3 of the Revised Statutes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HEPBURN	MEYENBORG	SLITER
ALLEN	CURRAN	HOBBIE	NEILSON	STORY
ALVORD	DAY	HOLBROOK	NORTH	SUTHERLAND
ANDREWS	DELL	HOYT	NOYES	E. TAYLOR
ASTOR	FISH	HULME	PALMER	J. T. TAYLOR
BAKER	FITZGERALD	JONES	PATTENGILL	TERRY
BATHE	FLOYD-JONES	KERN	CICERO C. PECK	THAIN
BEARD	FLYNN	KING	PEEK	THOMSON
BERRIGAN	FOSTER	LANGNER	ROBERTS	TOWNSLEY
BOUCK	FRANK	LOVELAND	ROWLAND	VALENTINE
BROOKS	GALVIN	MATTISON	SAWYER	WAKELY
CHAPPELL	GRAHAM	MEAD	SEARING	WILBOR
CHASE	HALLIDAY	J. H. MILLER	SEEBACHER	WILLERS
CORMACK	HAMILTON	S. V. R. MILLER	SHANLEY	WILLIAMS
COSAD	I. I. HAYES	MOLLER	SHELDON	WILLIS
CRAWFORD	J. HAYES	MOOERS	SKINNER	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Skinner in the chair.

The Senate bill entitled "An act relative to the collection of taxes in the county of Sullivan," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	J. HAYES	MOLLER	SKINNER
ALLEN	CORMACK	HOBBIE	MOOERS	SLITER
ALVORD	CRAWFORD	HOLBROOK	NORTH	SUTHERLAND
ANDREWS	CROWLEY	HOYT	NOYES	E. TAYLOR
ASTOR	DAY	HULME	PALMER	J. T. TAYLOR
BAKER	DELL	JONES	PARKER	TERRY
BEARD	FISH	KELLOGG	PATTERSON	THOMSON
BERGEN	FITZGERALD	KING	PEEK	VALENTINE
BERRY	FLOYD-JONES	LANGNER	POOL	WADSWORTH
BROOKS	FOSTER	LOVELAND	PRESCOTT	WAKELY
BROWNING	GALVIN	MAPES	ROBERTS	WILBOR
BURNS	GRAHAM	MATTISON	SAWYER	WILLERS
CHAPPELL	GRIGGS	MEAD	SEARING	WILLIAMS
CHASE	HALLIDAY	MEKEEL	SEEBACHER	WILLIS
CLANCY	HAMILTON	J. H. MILLER	SEWELL	WINCH
CLARK	HAVENS	S. V. R. MILLER	SHELDON	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 224 of the Laws of 1816, entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Madison, in the county of Madison,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CONVERSE	HAMILTON	J. H. MILLER	SHELDON
ALVORD	CORMACK	HAVENS	S. V. R. MILLER	SKINNER
ANDREWS	COSAD	J. HAYES	MOLLER	SLITER
ASTOR	CROWLEY	HEPBURN	MEYENBORG	STRACK
BAKER	CURRAN	HOBBIE	NORTH	SUTHERLAND
BATHE	DAY	HOLBROOK	NOYES	E. TAYLOR
BEARD	DOUGLASS	HOYT	PALMER	J. T. TAYLOR
BERGEN	DUELL	HULME	CICERO C. PECK	THOMSON
BERRIGAN	FISH	JONES	PEEK	VALENTINE
BERRY	FLOYD-JONES	KELLOGG	PRESCOTT	WADSWORTH
BROOKS	FOSTER	KERN	ROBERTS	WAKELY
BROWNING	FRANK	KING	ROWLAND	WARING
BRUNDAGE	GALVIN	LANGNER	SAWYER	WILLERS
CASE	GRAHAM	LOWING	SEARING	WILLIAMS
CHAPPELL	GRIGGS	MCDONOUGH	SEWELL	WILLIS
CHASE	HALLIDAY	MEAD	SHANLEY	WINCH
CLANCY				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act accepting the sovereignty and jurisdiction over a portion of the State of Vermont, ceded to the State of New York in the year 1876," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLANCY	HALLIDAY	MEKEEL	SEWELL
ALLEN	CLARK	HAVENS	J. H. MILLER	SHELDON
ALVORD	CONVERSE	J. HAYES	S. V. R. MILLER	SKINNER [
ANDREWS	CORMACK	HOBBIE	MOLLER	SLITER
ASTOR	COSAD	HOLAHAN	MOOERS	SUTHERLAND
BAKER	CROWLEY	HOLBROOK	MEYENBORG	E. TAYLOR
BATHE	CURRAN	HOYT	NORTH	J. T. TAYLOR
BEARD	DALY	HULME	NOYES	THAIN
BERGEN	DAY	JONES	PARKER	VALENTINE
BERRY	DUELL	KELLOGG	PEEK	WADSWORTH
BOUCK	FISH	KERN	PRESCOTT	WAKELY
BROOKS	FITZGERALD	KING	ROBERTS	WARING
BRUNDAGE	FLOYD-JONES	LOWING	ROWLAND	WILLERS
CASE	FOSTER	MAPES	SAWYER	WILLIAMS
CHAPPELL	GALVIN	MATTISON	SEARING	WILLIS
CHASE	GRIGGS	MEAD	SEEBACHER	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal a part of an act entitled 'An act to repeal certain acts and parts of acts,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 88.

NOES 11.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOBBIE	MOLLER	SEARING
ALLEN	CROWLEY	HOLBROOK	MOOERS	SEEBACHER
ALVORD	DALY	HOYT	MEYENBORG	SEWELL
ANDREWS	DAY	HULME	NELSON	SHELDON
ASTOR	DUELL	JONES	NORTH	SKINNER
BAKER	FISH	KEATOR	NOYES	STORY
BEARD	FLOYD-JONES	KELLOGG	PALMER	STRACK
BERGEN	FOSTER	KERN	PARKER	SUTHERLAND
BERRIGAN	GALVIN	KING	PATTENGILL	E. TAYLOR
BERRY	GILBERT	LANGNER	PATTERSON	TERRY
BOUCK	GRADY	LOVELAND	CICERO C. PECK	WADSWORTH
CASE	GRAHAM	LOWING	PEEK	WAKELY
CHAPPELL	GRIGGS	MAPES	POOL	WARING
CHASE	HALLIDAY	MATTISON	PRESCOTT	WILBOR
CLANCY	HAMILTON	MEAD	ROBERTS	WILLIAMS
CLARK	HAVENS	MEKEEL	ROWLAND	WILLIS
CONVERSE	I. I. HAYES	J. H. MILLER	SAWYER	WINCH
CORMACK	J. HAYES	S. V. R. MILLER		

Those who voted in the negative, were

BATHE	CRAWFORD	FITZGERALD	MCDONOUGH	THOMSON
BROOKS	CURRAN	FRANK	THAIN	WILLERS
BROWNING				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release certain lands which have escheated to the State to Louisa Henneder, widow of Joseph Henneder, late of the city of Albany, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 96.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	I. I. HAYES	MOOERS	SKINNER
ALLEN	COSAD	J. HAYES	MEYENBORG	SLITER
ALVORD	CRAWFORD	HEPBURN	NORTH	STORY
ANDREWS	CROWLEY	HOLBROOK	NOYES	STRACK
ASTOR	CURRAN	HOYT	PALMER	SUTHERLAND
BAKER	DALY	HULME	PARKER	E. TAYLOR
BEARD	DAY	JONES	PATTERSON	J. T. TAYLOR
BERGEN	DOUGLASS	KELLOGG	CICERO C. PECK	TERRY
BERRIGAN	DUELL	KERN	PEEK	THAIN
BERRY	FISH	KING	POOL	THOMSON
BROOKS	FITZGERALD	LANGNER	PRESCOTT	VALENTINE
BROWNING	FLOYD-JONES	LOVELAND	ROBERTS	WADSWORTH
BRUNDAGE	FOSTER	LOWING	ROWLAND	WAKELY
BURNS	GALVIN	MAPES	SAWYER	WARING
CASE	GRAHAM	MATTISON	SEARING	WILBOR
CHAPPELL	GRIGGS	MCDONOUGH	SEEBACHER	WILLERS
CHASE	HALLIDAY	J. H. MILLER	SEWELL	WILLIAMS
CLANCY	HAMILTON	S. V. R. MILLER	SHANLEY	WILLIS
CLARK	HAVENS	MOLLER	SHELDON	WINCH
CONVERSE				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker in the chair,

The bill entitled "An act to release and convey the interest of the

people of the State of New York of, in and to certain real estate situated in the town of Grand Island, county of Erie, State of New York, to Leopold Mullenhoff," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 90. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	J. HAYES	MEYENBORG	SLITER
ALLEN	CORMACK	HOLBROOK	NELSON	STORY
ALVORD	CRAWFORD	HOYT	NORTH	STRACK
ANDREWS	CROWLEY	HULME	NOYES	SUTHERLAND
ASTOR	CURRAN	JONES	PALMER	E. TAYLOR
BAKER	DALY	KELLOGG	CICERO C. PECK	J. T. TAYLOR
BATHE	DUELL	KERN	PEEK	THAIN
BEARD	FISH	KING	POOL	THOMSON
BERGEN	FLOYD-JONES	LANGNER	PRESCOTT	VALENTINE
BERRIGAN	FLYNN	LOVELAND	ROBERTS	WADSWORTH
BROOKS	FOSTER	MAPES	ROWLAND	WAKELY
BROWNING	GALVIN	MCDONOUGH	SAWYER	WARING
BRUNDAGE	GRAHAM	MEAD	SEARING	WEMPLE
CASE	GRIGGS	MEKEEL	SEEBACHER	WILBOR
CHAPPELL	HALLIDAY	J. H. MILLER	SEWELL	WILLERS
CHASE	HAMILTON	S. V. R. MILLER	SHANLEY	WILLIAMS
CLANCY	HAVENS	MOLLER	SHELDON	WILLIS
CLARK	I. I. HAYES	MOOERS	SKINNER	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New York in certain lands to Catharine Weber (formerly Rusch), and to authorize her to hold and convey the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 92. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HEPBURN	NEILSON	SLITER
ALLEN	COSAD	HOBBIE	NELSON	STORY
ALVORD	CRAWFORD	HOLAHAN	NORTH	STRACK
ANDREWS	CROWLEY	HOLBROOK	PALMER	SUTHERLAND
ASTOR	CURRAN	HOYT	PARKER	E. TAYLOR
BAKER	DALY	HULME	PATTENGILL	J. T. TAYLOR
BATHE	DAY	JONES	CICERO C. PECK	THAIN
BEARD	DUELL	KERN	PEEK	THOMSON
BERGEN	FISH	KING	POOL	VALENTINE
BERRIGAN	FLOYD-JONES	LANGNER	PRESCOTT	WADSWORTH
BERRY	FLYNN	LOVELAND	ROWLAND	WAKELY
BROWNING	FOSTER	LOWING	SAWYER	WARING
BRUNDAGE	GALVIN	MATTISON	SEARING	WEMPLE
CASE	GRAHAM	MEKEEL	SEEBACHER	WILBOR
CHAPPELL	GRIGGS	J. H. MILLER	SEWELL	WILLERS
CHASE	HALLIDAY	S. V. R. MILLER	SHANLEY	WILLIAMS
CLANCY	HAMILTON	MOOERS	SHELDON	WILLIS
CLARK	HAVENS	MEYENBORG	SKINNER	WINCH
CONVERSE	I. I. HAYES			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release to Evan E. Roberts the right, title and interest of the people of the State of New York, in and to the real estate situate in the city of Utica, county of Oneida, of which Mary E. Roberts died seized," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HEPBURN	MOLLER	SHANLEY
ALLEN	CRAWFORD	HOBBIE	MOOERS	SHELDON
ALVORD	CROWLEY	HOLAHAN	MEYENBORG	SKINNER
ANDREWS	CURRAN	HOLBROOK	NEILSON	SLITER
ASTOR	DALY	HOYT	NORTH	STORY
BAKER	DAY	HULME	NOYES	STRACK
BATHE	DUELL	JONES	PALMER	SUTHERLAND
BEARD	FISH	KERN	PARKER	E. TAYLOR
BERRY	FLOYD-JONES	KING	CICERO C. PECK	THOMSON
BROWNING	FOSTER	LANGNER	PEEK	VALENTINE
BRUNDAGE	GALVIN	LOVELAND	POOL	WADSWORTH
CASE	GRAHAM	LOWING	PRESCOTT	WAKELY
CHAPPELL	GRIGGS	MATTISON	ROBERTS	WEMPLE
CHASE	HALLIDAY	MCDONOUGH	ROWLAND	WILBOR
CLANCY	HAMILTON	MEAD	SAWYER	WILLERS
CLARK	HAVENS	MEEKEL	SEARING	WILLIS
CONVERSE	I. I. HAYES	J. H. MILLER	SEEBACHER	WINCH
CORMACK	J. HAYES	S. V. R. MILLER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to extend the time for the sale of the Genesee Valley canal, as provided in chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights and other property connected therewith,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 89.

NOES 10.

Those who voted in the affirmative, were

ABBOTT	CLANCY	I. I. HAYES	S. V. R. MILLE	SEWELL
ALLEN	CLARK	J. HAYES	MOLLER	SHANLEY
ALVORD	CONVERSE	HENRY	MOOERS	SHELDON
ANDREWS	CROWLEY	HOBBIE	MEYENBORG	SKINNER
ASTOR	CURRAN	HOLBROOK	NEILSON	STRACK
BAKER	DALY	HULME	NELSON	SUTHERLAND
BATHE	DAY	JONES	NORTH	E. TAYLOR
BEARD	DUELL	KERN	NOYES	TERRY
BERGEN	FISH	KING	PALMER	THOMSON
BERRIGAN	FITZGERALD	LANGNER	PARKER	VALENTINE
BERRY	FLOYD-JONES	LOVELAND	PATTENGILL	WADSWORTH
BOUCK	FOSTER	LOWING	PATTERSON	WARING
BROWNING	GALVIN	MAPES	CICERO C. PECK	WEMPLE
BRUNDAGE	GILBERT	MATTISON	PEEK	WILBOR
BURNS	GRADY	MCDONOUGH	POOL	WILLIAMS
CASE	GRAHAM	MEAD	PRESCOTT	WILLIS
CHAPPELL	GRIGGS	MEKEL	ROBERTS	WINCH
CHASE	HAMILTON	J. H. MILLER	ROWLAND	

Those who voted in the negative, were

BROOKS	HAVENS	HOYT	KELLOGG	THAIN
COSAD	HEPBURN	KEEGAN	PROPER	WILLERS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to authorize the board of supervisors of the county of Wayne to determine that the Clyde and Rose Plankroad Company abandon its plank or gravel road in that county, and to provide for the abandonment thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOBBIE	MOOERS	SKINNER
ALLEN	CRAWFORD	HOLBROOK	MEYENBORG	SLITER
ALVORD	CROWLEY	HOYT	NELSON	STORY
ANDREWS	DAY	HULME	NORTH	STRACK
ASTOR	DELL	JONES	NOYES	SUTHERLAND
BAKER	FISH	KEEGAN	PALMER	E. TAYLOR
BATHE	FITZGERALD	KELLOGG	PATTERSON	J. T. TAYLOR
BEARD	FLOYD-JONES	KERN	PEEK	TERRY
BERGEN	FOSTER	KING	POOL	THOMSON
BERRY	GALVIN	LANGNER	PRESCOTT	VALENTINE
BROOKS	GRADY	LOWING	ROWLAND	WADSWORTH
BRUNDAGE	GRAHAM	MAPES	SAWYER	WAKELY
CASE	GRIGGS	MATTISON	SEARING	WEMPLE
CHAPPELL	HALLIDAY	MCDONOUGH	SEEBACHER	WILLIAMS
CHASE	I. I. HAYES	MEEKEL	SEWELL	WILLIS
CLANCY	J. HAYES	J. H. MILLER	SHELDON	WINCH
CLARK	HEPBURN	S. V. R. MILLER		

For the negative,

COSAD

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 443 of the Laws of 1876, entitled 'An act supplemental to the act entitled An act to revise the charter of the city of Syracuse,' passed March 3, 1857, and the acts amendatory thereto," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOLBROOK	NEILSON	STRACK
ALLEN	DALY	HOYT	NORTH	SUTHERLAND
ALVORD	DAY	HULME	PALMER	E. TAYLOR
ANDREWS	DELL	KEATOR	PARKER	J. T. TAYLOR
ASTOR	FISH	KEEGAN	PATTENGILL	TERRY
BAKER	FITZGERALD	KELLOGG	DEWITT C. PECK	THAIN
BATHE	FLOYD-JONES	KERN	PEEK	THOMSON
BEARD	FOSTER	KING	POOL	VALENTINE

BERRY	GALVIN	LANGNER	ROBERTS	WADSWORTH
BROOKS	GRAHAM	LOVELAND	ROWLAND	WAKELY
BRUNDAGE	GRIGGS	LOWING	SAWYER	WEMPLE
CASE	HALLIDAY	MAPES	SEARING	WILBOR
CHAPPELL	HAMILTON	MATTISON	SEEBACHER	WILLERS
CHASE	HAVENS	J. H. MILLER	SEWELL	WILLIAMS
CLAPP	I. I. HAYES	S. V. R. MILLER	SHELDON	WILLIS
CONVERSE	HEPBURN	MOOERS	SKINNER	WINCH
CROWLEY	HOBBIE	MEYENBORG	SLITER	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to legalize and confirm the official acts of William W. Snow as trustee and president of the board of trustees of the village of Oneonta, in the county of Otsego," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 91.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HAVENS	MEKEEL	SHELDON
ALLEN	CORMACK	I. I. HAYES	J. H. MILLER	SKINNER
ALVORD	COSAD	HENRY	S. V. R. MILLER	SLITER
ANDREWS	CROWLEY	HEPBURN	MOLLER	STORY
ASTOR	CURRAN	HOBBIE	MOOERS	STRACK
BAKER	DALY	HOLBROOK	MEYENBORG	SUTHERLAND
BATHE	DAY	HOYT	NEILSON	E. TAYLOR
BEARD	DUELL	HULME	NELSON	J. T. TAYLOR
BERGEN	FISH	KEEGAN	PARKER	TERRY
BERRY	FITZGERALD	KELLOGG	PATTENGILL	THAIN
BOUCK	FLOYD-JONES	KERN	PEEK	THOMSON
BROOKS	FOSTER	KING	POOL	VALENTINE
BRUNDAGE	GALVIN	LANGNER	PRESCOTT	WADSWORTH
BURNS	GILBERT	LOVELAND	ROBERTS	WAKELY
CASE	GRAHAM	LOWING	SAWYER	WARING
CHAPPELL	GRIGGS	MATTISON	SEARING	WEMPLE
CHASE	HALLIDAY	MCDONOUGH	SEEBACHER	WILLIAMS
CLAPP	HAMILTON	MEAD	SEWELL	WINCH
CLARK				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sawyer in the chair,

The bill entitled "An act to furnish arms to the Albany Burgesses Corps," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CORMACK	I. I. HAYES	J. H. MILLER	SEWELL
ALLEN	COSAD	HENRY	S. V. R. MILLER	SHANLEY
ALVORD	CRAWFORD	HEPBURN	MOLLER	SHELDON
ANDREWS	CROWLEY	HOBBIE	MOOERS	SKINNER
ASTOR	CURRAN	HOYT	MEYENBORG	SLITER
BAKER	DALY	HULME	NELSON	STORY

BATHE	DAY	JONES	NORTH	STRACK
BERGEN	DUELL	KEEGAN	NOYES	SUTHERLAND
BERRY	FISH	KERN	PARKER	J. T. TAYLOR
BOUCK	FLOYD-JONES	KING	PATTENGILL	TERRY
BROOKS	FOSTER	LANGNER	PATTERSON	THAIN
BROWNING	GALVIN	LOWING	PEEK	THOMSON
BRUNDAGE	GILBERT	MAPES	PRESCOTT	VALENTINE
CASE	GRIGGS	MATTISON	SAWYER	WADSWORTH
CHAPPELL	HALLIDAY	MCDONOUGH	SEARING	WAKELY
CLAPP	HAMILTON	MEKEEL	SEEBACHER	WEMPLE
CONVERSE				

For the negative,

BEARD

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act relating to the State survey, and making appropriation therefor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 9.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HENRY	MEYENBORG	SUTHERLAND
ALLEN	CURRAN	HEPBURN	NORTH	E. TAYLOR
ALVORD	DALY	HOBBIE	NOYES	J. T. TAYLOR
ANDREWS	DAY	HOLBROOK	PARKER	TERRY
BAKER	DOUGLASS	HOYT	PEEK	THAIN
BERGEN	DUELL	HULME	POOL	THOMSON
BERRY	FISH	JONES	PURDY	TOWNSLEY
BOUCK	FITZGERALD	KEEGAN	SAWYER	WADSWORTH
BROWNING	FOSTER	KERN	SEEBACHER	WAKELY
BRUNDAGE	GALVIN	KING	SEWELL	WARING
CASE	GILBERT	LANGNER	SHANLEY	WEMPLE
CHAPPELL	GRAHAM	LOVELAND	SHELDON	WILBOR
CHASE	GRIGGS	MEAD	SKINNER	WILLIAMS
CLAPP	HALLIDAY	J. H. MILLER	STORY	WILLIS
CONVERSE	HAMILTON	S. V. R. MILLER	STRACK	WINCH
COSAD	I. I. HAYES	MOERS		

Those who voted in the negative, were

BATHE	MATTISON	PATTENGILL	ROBERTS	WILLERS
BEARD	NELSON	PRESCOTT	SEARING	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Purdy offered, for the consideration of the House, a privileged resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, respectfully recalling Assembly bill No. 217, entitled "An act in relation to the City Court of Yonkers," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to change the corporate name of the Mercantile Library Association of the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DUELL	JONES	PARKER	SUTHERLAND
ALVORD	FISH	KERN	PEEK	E. TAYLOR
BEARD	FLOYD-JONES	KING	POOL	J. T. TAYLOR
BERGEN	FOSTER	LOVELAND	PRESCOTT	TERRY
BERRY	GALVIN	MATTISON	ROBERTS	THAIN
BOUCK	GRAHAM	MCDONOUGH	ROWLAND	THOMSON
CASE	GRIGGS	MEAD	SAWYER	TOWNSLEY
CHAPPELL	HALLIDAY	MEKEEL	SEARING	WADSWORTH
CHASE	HAMILTON	S. V. R. MILLER	SEWELL	WAKELY
CLAPP	HAVENS	MOOERS	SHANLEY	WARING
CLARK	I. I. HAYES	MEYENBORG	SHELDON	WEMPLE
CORMACK	HEPBURN	NELSON	SKINNER	WILBOR
CROWLEY	HOBBIE	NORTH	SLITER	WILLIAMS
CURRAN	HOLAHAN	NOYES	STORY	WILLIS
DALY	HOLBROOK	PALMER	STRACK	WINCH
DAY	HULME			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act for the relief of the Buffalo Eye and Ear Infirmary," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor, thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	HULME	NORTH	STORY
ALLEN	DAY	HURD	NOYES	STRACK
ALVORD	DOUGLASS	JONES	PALMER	SUTHERLAND
ANDREWS	DUELL	KEEGAN	PARKER	E. TAYLOR
BATHE	FISH	KELLOGG	PATTENGILL	J. T. TAYLOR
BOUCK	FLOYD-JONES	KERN	POOL	TERRY
BROOKS	GALVIN	KING	PRESCOTT	THOMSON
BRUNDAGE	GRAHAM	LANGNER	ROBERTS	TOWNSLEY
CASE	GRIGGS	LOVELAND	SAWYER	WADSWORTH
CHAPPELL	HALLIDAY	MATTISON	SEARING	WAKELY
CHASE	HAMILTON	MEAD	SEEBACHER	WARING
CLAPP	I. I. HAYES	J. H. MILLER	SEWELL	WILBOR
CORMACK	J. HAYES	S. V. R. MILLER	SHANLEY	WILLIAMS
CRANDALL	HEPBURN	MOOERS	SHELDON	WILLIS
CRAWFORD	HOBBIE	MEYENBORG	SKINNER	WINCH
CROWLEY	HOYT	NELSON	SLITER	WORTH
CURRAN				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Chase introduced a bill entitled "An act to extend the time for the collection of taxes in the town of Cherry Valley, in the county of Otsego," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Chase, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HULME	PATTENGILL	SUTHERLAND
ALLEN	CROWLEY	JONES	CICERO C. PECK	E. TAYLOR
ALVORD	DALY	KEEGAN	PEEK	J. T. TAYLOR
ANDREWS	DAY	KING	POOL	TERRY
BAKER	DOUGLASS	LANGNER	PRESCOTT	THAIN
BATHE	DUELL	LOVELAND	PURDY	THOMSON
BEARD	FISH	LOWING	ROBERTS	VALENTINE
BERGEN	FLOYD-JONES	MATTISON	SAWYER	WADSWORTH
BERRY	GALVIN	J. H. MILLER	SEARING	WAKELY
BROOKS	GILBERT	S. V. R. MILLER	SEWELL	WARING
BROWNING	HAMILTON	MOOERS	SHANLEY	WILBOR
BRUNDAGE	I. I. HAYES	MEYENBORG	SHELDON	WILLERS
CHAPELL	J. HAYES	NELSON	SKINNER	WILLIAMS
CHASE	HEPBURN	NORTH	STORY	WILLIS
CLARK	HOBBIE	NOYES	STRACK	WINCH
CONVERSE	HOYT	PARKER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Shanley introduced a bill entitled "An act to regulate the use of wharves, piers and bulkheads in the cities of New York, Brooklyn and Long Island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a bill entitled "An act to establish the right of citizens of this State to carry on their business in all parts thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Converse, Int. No. 691, entitled "An act to amend chapter 349 of the Laws of 1877, entitled 'An act to provide for the payment of bonds issued by municipal corporations under the provisions of chapter 907 of the Laws of 1869, entitled An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads, and the acts amendatory thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Seebacher, Int. No. 733, entitled "An act relating to the Dry Dock, East Broadway and Battery Railroad Company," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Speaker in the chair.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. North, Int. No. 802, entitled "An act to facilitate the completion of the Syracuse, Phoenix and Oswego Railroad," reported in favor of the passage of the same, with amendments,

which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was recommended the bill introduced by Mr. Moller, Int. No. 481, entitled "An act in relation to commutation and other fares for transporting passengers by railroad companies chartered by or incorporated in any other State, and owning any railroad tracks in this State, re-reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 195 of the Laws of 1846, entitled 'An act to authorize the New York and New Haven Railroad Company to extend their railroad from the Connecticut line to the New York and Harlem Railroad," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Halliday, Int. No. 818, entitled "An act in relation to railroad corporations," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act in relation to the Brooklyn Steam Transit Company," which report was agreed to, and said bill was committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Andrews, Int. No. 644, entitled "An act relating to railroads conducted by receivers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott presented the testimony of investigation ordered by the Assembly relative to the Anthracite Board of Control, which was tabled and ordered printed.

(See Doc No. 124.)

Mr. Terry called from the table the report of the committee on privileges and elections, relative to the investigation of the New York Times reporters.

To the Assembly :

The committee on privileges and elections beg leave respectfully to report that they have held sessions both in this city and in New York, and that they have examined numerous witnesses, including Augustin Snow, the Senate reporter of the New York Times, whom, it appears from the evidence, was the writer of the dispatch under investigation; and, from the testimony of the several witnesses, it cannot be doubted that most of the statement, in spirit and meaning, so far as it impugned Mr. Fish's official action, was untrue in fact. Mr. Fish's course was in no way influenced by the Smyth trial, or bargain, or agreement, or understanding as to how any one should or would vote on that trial, or by a desire to influence any one as to his vote on that trial. He merely performed his duty as chairman in reporting the elective comptroller's bill, having been directed so to do by a vote of the committee. The meeting at which this was ordered was not specially called, but was a meeting adjourned according to the regular practice of the committee on cities. The bill was brought up at that meeting by Mr. Daly, known as an opponent of Tammany, and its favorable report was ordered by the unanimous vote of all the members of the committee present. As Messrs. Brooks and Holahan were not present at the meeting of the committee, before reporting it, Mr. Fish sent the clerk of the committee to inform them of the action taken. They at once applied to Mr.

Skinner, a member of the committee on cities, to join with them in requesting a recommitment of the bill, which was consented to by Mr. Fish, on condition that the bill should retain its place on general orders. The bill was subsequently again reported by Mr. Fish, and was not delayed a moment by the action taken in recommitting it.

It was admitted by Mr. Snow's counsel that the statement that information of the action in reporting the bill was given to the Tammany Senators, and that they thereupon agreed to change their intended course, was incorrect. The Senators whose action is impugned voluntarily appeared before the committee, and under oath denied that their action was influenced by any bargain, or that they at any time wavered as to the course they intended to pursue, or that they had any knowledge of the report of the elective comptroller's bill, or that their action was in any way influenced by that bill, its report or recommitment. There is no pretense that Mr. Fish in any way attempted personally to influence them.

As to other Senators, the only evidence offered of alleged attempts to influence them was confined to conversations with two of them by persons other than Mr. Fish, and both of these Senators voted against Mr. Smyth.

The sole statements of the letter which are sustained by any evidence, apart from the report and commitment of the comptroller's bill as already stated, are that there were rumors of a bargain; that two of the so-called Tammany Senators stated to a New York Assemblyman, Mr. Baker, the night before the vote was taken, that they intended to vote against Smyth, and that they afterward voted for him. The further fact that Mr. Fish congratulated Senator Pomeroy on his speech is not denied.

Mr. Snow, while substantially admitting that such was in the evidence the real state of the facts, reiterated his belief in the existence of a bargain, though not that Mr. Fish was a party to or acquainted with it. He also expressed the opinion that no Tammany Senator could, if influenced by the evidence alone, have voted to acquit Mr. Smyth. He claimed, and his defense rested principally upon this ground, that he acted in good faith in making the statements he did. It is difficult for us to perceive how this is possible. He asserted in his letter as facts various things, of which he admits that there is not only no evidence, but of which he says there was not even a rumor. Such are his statements — that information of the report of the elective comptroller's bill was given to the Tammany Senators, and that they at once gave assurances that they would vote as desired in the Smyth trial, and that in consequence thereof the Comptroller's bill was recommitted. Moreover, the slightest inquiries as to the facts attending the report and the recommitment would have shown him that these statements could not be correct. The utmost that any one could be justified in stating was, that the occurrences unexplained left room for suspicion. It surely did not justify the grave charge deliberately made, not only against Mr. Fish, but against members of a co-ordinate branch of the Legislature. In saying this we do not overlook the practice, more or less necessary on the part of legislative correspondents, of incorporating in their letters rumors, the foundation of which they have not carefully examined; nor the other practical characteristic of many besides writers of the press, of assuming that public men who differ from them are influenced by improper motives. But this characteristic of our time does not justify the practice.

Mr. Mills, the reporter of the New York Daily Times in the Assembly, is in no way connected with the matter.

The resolution under which we act substantially prescribes the course we should take if we arrive at the conclusion upon the facts which we have reached. If Mr. Snow had frankly acknowledged his error we might have ventured to request a modification in this respect. As it is, we advise the adoption of the following resolution :

Resolved, That the evidence taken before this committee, together with this report, be transmitted to the Senate for such action as they may deem proper.

GEO. L. TERRY,
C. D. PRESCOTT,
JAMES G. GRAHAM,

JOSEPH P. STRACK,
L. B. KERN.

Dated *April* 12, 1878.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Terry moved that the report of the committee on privileges and elections be adopted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Terry moved that the testimony taken before said committee, with their report, be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Nelson introduced a bill entitled "An act to incorporate the Brewer Fire Company of the village of Monsey, of the county of Rockland, State of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Nelson, and by unanimous consent, said bill was referred to the sub-committee of the whole.

Mr. Valentine, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Loomis, Int. No. 190, entitled "An act to authorize the county judge of Allegany county to appoint four constables in and for the town of Scio, in said county of Allegany," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Wakely, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBIE	MEYENBORG	SHELDON
ALLEN	CURRAN	HOLBROOK	NELSON	SKINNER
ALVORD	DALY	HOYT	NORTH	SLITER
ANDREWS	DAY	HULME	NOYES	STORY
BAKER	DOUGLASS	JONES	PALMER	SUTHERLAND
BATHE	DUELL	KELLOGG	PARKER	E. TAYLOR
BEARD	FISH	KERN	PATTENGILL	J. T. TAYLOR
BERRIGAN	FITZGERALD	KING	PEEK	TERRY

BERRY	FLOYD-JONES	LOVELAND	POOL	THAIN
BOUCK	FOSTER	LOWING	PRESCOTT	THOMSON
BROWNING	GALVIN	MAPES	PROPER	TOWNSLEY
BRUNDAGE	GRADY	MATTISON	ROBERTS	WADSWORTH
CASE	GRAHAM	MEAD	ROWLAND	WAKELY
CHAPPELL	GRIGGS	MEKEEL	SAWYER	WILBOR
CHASE	HAMILTON	J. H. MILLER	SEARING	WILLIAMS
CLAPP	I. I. HAYES	S. V. R. MILLER	SEEBACHER	WILLIS
CLARK	HEPBURN	MOOERS	SEWELL	WINCH
CONVERSE				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Valentine, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Oakley, Int. No. 198, entitled "An act to facilitate the collection of certain unpaid taxes in the town of Newtown, in the county of Queens," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clapp offered, for the consideration of the House, a resolution in the words following :

Resolved, That the Superintendent of the Bank Department, be requested to communicate to the Assembly, as early as possible, any information he has respecting the measures adopted by other States, for dealing with embarrassed or insolvent saving banks in such States.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Cormack, Int. No. 712, entitled "An act to amend chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" reported adversely thereto, which report was agreed to.

Mr. Valentine, from the committee on internal affairs, to which was recommitted the bill introduced by Mr. Prescott, Int. No. 538, entitled "An act to create a board of charities in the several counties of this State," re-reported in favor of the passage of the same, with amendments, which report was agreed to and said bill was committed to the committee of the whole.

Mr. Brooks moved that the Assembly bill entitled "An act to change the location of the court houses and clerk's office of Richmond county by a majority vote of the board of supervisors of said county and a vote of approval by the electors of said county," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Thain presented a petition of members of the bar, asking for an amendment of the law as to judicial sales in Kings county ; which was read and referred to the committee on the judiciary.

Mr. North presented a petition and remonstrance of taxpayers of Oswego relating to the passage of the act to facilitate the completion of the Syracuse, Phoenix and Oswego Railroad ; which was read and committed to the committee of the whole.

Mr. Hoyt presented a petition of citizens of Orange county against convict labor ; which was read and referred to the committee on state prisons.

Mr. Jones presented a petition to complete the grade to and approaches of the canal bridge over the Erie canal at Platt street, Utica ; which was read and referred to the committee on canals

Mr. Gilbert presented a petition of the Troy Conference of the Methodist Episcopal Church against any modification of the excise law ; which was read and referred to the committee on internal affairs.

Mr. Deyoe presented a petition of lawyers of Saratoga county against the repeal of the Code of Civil Procedure, and for the passage of the supplemental chapters over the Governor's veto ; which was read and referred to the committee on the judiciary.

Mr. Mekeel presented a petition from the bar of Schuyler county for the repeal of the present Code of Civil Procedure, and the re-enactment of the old Code ; which was read and referred to the committee on the judiciary.

Mr. Moller offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill No. 456, entitled "An act imposing a tax and prescribing the mode of collecting the same, on the privilege of selling wine, ardent spirits, or malt liquors, within the limits of the city of New York," be made a special order for Tuesday morning, April 30, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Abbott called from the table a concurrent resolution in the words following :

Resolved (if the Assembly concur), First. That a joint committee of the Legislature be appointed, three from the Senate by the President thereof, three from the Assembly by the Speaker thereof, to sit during the recess to examine and review the Code of Civil Procedure and also all bills submitted at this session by the commissioners to revise the statutes, and to report the result at the next session of the Legislature.

Second. That the said committee be at liberty, if they think proper, to report a bill either amending the Code of Civil Procedure, or consisting of a new Code of Civil Procedure, or the Code of Civil Procedure of 1849 as amended ; also, one or more bills embodying, with such alterations and amendments as they think proper, the additional bills submitted by the said commissioners at this session, and repealing so much of the present statutes of the State as are obsolete or superseded thereby ; and such temporary or supplemental bills as may be necessary or proper, and any other bills which they may deem expedient, having for their object the revision, consolidation and simplification of the statutes.

Third. That each bill so reported be reported in print, and a copy thereof be furnished to each member of the Legislature, and thereupon that the said bill be placed upon the calendar of general orders in each house, in like manner and with like effect as if reported favorably by a standing committee of such house and be acted upon without being again printed.

Fourth. That for the purpose of carrying this resolution into effect the said joint committee be authorized to employ such counsel to aid them and such assistants and clerks as they deem proper, and to incur such reasonable expenses as they think proper for traveling, office rent, books, printing, postage, stationery and other incidental matters ; but the whole expenditures for all purposes shall not exceed \$15,000.

Debate arising thereon,

Mr. Alvord raised the point of order relative to the language used by Mr. Gilbert, and called for the stenographer's notes in the words following:

MR. GILBERT—He says nobody from Onondaga dares vote so and so. He virtually says to the other two members from Onondaga: I challenge you to vote for this measure. No matter how well you may be convinced that the great need of the public is for a revision, no matter how well you may be satisfied of the stupendous folly of stopping where we are, or going back where we begun—no matter, you dare not do it. I wonder if the gentleman from Onondaga has been managing the affairs of this House so long as to suppose that he can crack the whip around members from Onondaga or anywhere else, and tell them what they dare or dare not do?

Mr. Gilbert raised the point of order, that said language was used by Mr. Alvord, and called for the stenographer's notes in reference thereto in the words following:

"I venture to say that no man from my county can be here a member of the Legislature next year who will dare—and I speak it understandingly—who will dare to vote in favor of taking the people's money to continue this miserable attempt at improving the practice of the State at the expense of the great mass of the people."

Mr. Speaker decided the point of order raised by Mr. Alvord as well taken, and that said debate should proceed in order.

The hour of two o'clock having arrived, the House took a recess until half-past four P. M.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

Mr. Speaker stated that the pending question, at the hour of taking a recess, was upon the concurrent resolutions relative to the appointment of a special committee to revise the Code.

Debate arising thereon,

Mr. Holahan moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Pending the call of the roll, Mr. Gilbert moved a call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker directed the Clerk to proceed with the calling of the roll, with the following result:

AYES 47.

NOES 53.

Those who voted in the affirmative, were

ABBOTT	CLARK	HULME	NORTH	SKINNER
ANDREWS	CRAWFORD	KEEGAN	NOYES	E. TAYLOR
BATHE	DEYOE	KERN	PARKER	TERRY
BEARD	DOUGLASS	KING	PATTERSON	THAIN
BERRIGAN	DUELL	LOVELAND	REYNOLDS	WARING
BERRY	GRADY	MAPES	SAWYER	WHEELER
BROOKS	GRAHAM	MATTISON	SEWELL	WILBOR
BRUNDAGE	I. I. HAYES	J. H. MILLER	SHANLEY	WINCH
CASE	HOLAHAN	MEYENBORG	SHELDON	WORTH
CLANCY	HOLBROOK			

Those who voted in the negative, were

ALLEN	CURRAN	HOYT	NELSON	SEEBACHER
ALVORD	DALY	JONES	PALMER	STORY
BERGEN	DAY	KEATOR	PATTENGILL	STRACK
BROWNING	FITZGERALD	KELLOGG	CICERO C. PECK	J. T. TAYLOR
BURNS	GILBERT	LANGNER	POOL	THOMSON
CHASE	GRIGGS	MEAD	PRESCOTT	TOWNSLEY
CLAPP	HALLIDAY	MEKEEL	PURDY	VALENTINE
CONVERSE	HAMILTON	S. V. R. MILLER	ROBERTS	WAKELY
CORMACK	HAVENS	MOLLER	ROWLAND	WEMPLER
COSAD	J. HAYES	MOOERS	SEARING	WILLERS
CROWLEY	HEPBURN	NEILSON		

When the name of Mr. Astor was called, he stated that he was paired with Mr. Henry.

When the name of Mr. Bouck was called, he stated that he was paired with Mr. Fish.

When the name of Mr. Floyd-Jones was called, he stated that he was paired with Mr. Williams.

When the name of Mr. Lowing was called, he stated that he was paired with Mr. Proper.

Mr. Gilbert moved to reconsider the vote by which said resolution was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, as follows:

AYES 48.

NOES 47.

Those who voted in the affirmative, were

ABBOTT	CLARK	HOLBROOK	NORTH	E. TAYLOR
ANDREWS	CRAWFORD	HULME	NOYES	TERRY
BATHE	DEYOE	KEEGAN	PARKER	THAIN
BEARD	DOUGLASS	KERN	PATTERSON	WARING
BERRIGAN	DUELL	KING	SAWYER	WHEELER
BERRY	GILBERT	LOVELAND	SEWELL	WILBOR
BROOKS	GRADY	MAPES	SHANLEY	WINCH
BRUNDAGE	GRAHAM	MCDONOUGH	SHELDON	WORTH
CASE	I. I. HAYES	J. H. MILLER	SKINNER	SPEAKER
CLANCY	HOLAHAN	MEYENBORG		

Those who voted in the negative, were

ALLEN	CROWLEY	HEPBURN	MOOERS	STORY
ALVORD	CURRAN	HOYT	NEILSON	STRACK
BERGEN	DALY	JONES	NELSON	J. T. TAYLOR
BROWNING	DAY	KEATOR	PALMER	THOMSON
BURNS	FITZGERALD	KELLOGG	PATTENGILL	TOWNSLEY
CHASE	GRIGGS	LANGNER	CICERO C. PECK	VALENTINE
CLAPP	HALLIDAY	MEAD	PRESCOTT	WAKELY
CONVERSE	HAMILTON	MEKEEL	PURDY	WEMPLER
CORMACK	HAVENS	MOLLER	ROBERTS	WILLERS
COSAD	J. HAYES			

When the name of Mr. Hobbie was called, he asked to be and was not excused from voting.

Mr. Berry presented a report from the sub-committee of the whole; which was laid upon the table and ordered printed.

(See Doc. No. 120.)

The Senate returned the bill entitled "An act to legalize the proceedings of the school commissioner of the second commissioner district of the county of Onondaga, in the formation of School district No. 29, in the town of Onondaga, in said county," with a message that they had

reconsidered the vote on the final passage of said bill, and had passed the same as amended by the Assembly.

Ordered. That the Clerk return said bill to the Senate.

On motion of Mr. Alvord, and at 7 o'clock and 55 minutes, the House adjourned.

THURSDAY, APRIL 25, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Stanton.

The journal of yesterday was read and approved.

The Senate sent for concurrence the bill entitled as follows :

"An act to establish the right of citizens of this State to carry on their business in all parts thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to extend the time for the collection of taxes in the town of Ithaca, in the county of Tompkins."

"An act for the incorporation of District No. 1 of the Independent Order of Benai Berith, and to authorize other corporations, incorporated societies or other associations to give and transfer property to, or wholly to consolidate with the corporation hereby created."

Ordered. That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the resolution entitled as follows :

"*Resolved* (if the Senate concur), That a respectful message be sent to his excellency the Governor, respectfully recalling Assembly bill No. 217, entitled 'An act in relation to the city court of Yonkers,' for amendment."

Ordered. That the Clerk deliver said resolution to the Governor.

On motion of Mr. Nelson, and by unanimous consent, the Assembly bill entitled "An act for the removal of refuse matter in the city of New York," was ordered to a third reading.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was referred the Senate bill Int. No. 98, entitled "An act to provide for more completely equipping the National Guard of the State of New York," reported in favor of the passage of the same, with amendments, which report was agreed to and said bill committed to the committee of the whole.

Mr. Clark offered, for the consideration of the House, a privileged resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to his excellency the Governor, requesting the return of Assembly bill No. 230, entitled "An act to amend article 5 of title 1, chapter 16 of part 1 of the Revised Statutes," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered. That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to create corporations for the improvement of innavigable streams, and their tributaries.

"An act in relation to granting licenses to sell intoxicating drinks."

"An act to amend the charter of the city of Rochester, and to change its boundaries."

"An act to amend chapter 309 of the Laws of 1877, entitled 'An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals, for the fiscal year commencing on the first day of October, 1877.'"

"An act to amend chapter 691 of the Laws of 1865, entitled 'An act to amend an act entitled An act to amend an act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, and to amend an act entitled An act to amend an act entitled An act for the incorporation of companies to navigate the lakes and rivers, passed April 15, 1854, passed April 15, 1861."

"An act to enable the park commissioners of the city of Buffalo to transfer to said city their jurisdiction and control over certain lands taken for a park and laid out by said commissioners as part of Delaware street."

"An act to enable the board of education of the city of Brooklyn to sell certain lands."

"An act authorizing the Buffalo city cemetery to convey to the city of Buffalo certain lands for a street."

"An act authorizing a change of boundary between the park under the jurisdiction and control of the park commissioners of the city of Buffalo, and the lands of the Buffalo city cemetery."

"An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies."

"An act to amend an act passed January 18, 1832, entitled 'An act to revise and amend the act entitled An act to authorize the building of a toll bridge over the Hudson river,' passed April 2, 1825, and the act amendatory thereof, passed May 2, 1829."

"An act to extend and define the liberties of the jail for the county of Ulster."

"An act to secure the payment of laborers, mechanics, merchants, traders, and persons furnishing materials toward the performing of any public work in the cities of the State of New York".

"An act to protect spawning fish in the Hudson river."

"An act to amend section 9, chapter 90 of the Laws of 1869, entitled 'An act to provide for improvement of the navigation of the Racket river and of the hydraulic power thereon, and to check freshets therein.'"

"An act to amend title 6, chapter 1, part 4, section 2 of the Revised Statutes, entitled 'Of offenses punishable by imprisonment in a county jail and by fine.'"

"An act for the relief of the Canterbury fire engine company, in Orange county, and to amend chapter 272 of the Laws of 1830, entitled 'An act to incorporate the Canterbury fire company.'"

"An act to amend section 28, chapter 482, of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

"An act to require incorporated companies and joint stock associations in this State to make, annually, an exhibit of the condition and business of such corporation or company."

"An act to authorize the Brooklyn Market Company to construct a tunnel under the canal at Wallabout bay."

"An act to amend chapter 131 of the Laws of 1878, entitled 'An act to annex the village of West Mount Vernon, in the county of Westchester, to the village of Mount Vernon in said county; to confirm the tax sales heretofore held in the said village of West Mount Vernon, and to provide for the division of the said village of Mount Vernon into wards, after the annexation of the said village of Mount Vernon.'"

"An act to amend chapter 575 of the Laws of 1874, entitled 'An act in relation to the Brooklyn, Winfield and Newtown Railway Company.'"

"An act to extend the jail limits of Orange county."

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,' so far as the same relates to the county of Oswego."

"An act authorizing the conveyance of certain portions of the Chenango canal."

"An act releasing the interests of the State in certain lands of which Patrick Kinney died possessed, to John Kinney, James Kinney, and Patrick Kinney, his children and heirs-at-law."

"An act for the better protection of life and property in the city of New York."

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

"An act supplemental to chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations.'"

"An act to regulate and control the raising and spending of the public moneys in the county of Kings."

"An act to facilitate the making proofs of discharge from State prison upon a trial for second offense."

"An act to amend chapter 833 of the Laws of 1873, entitled 'An act to regulate the fees of coroners.'"

"An act in relation to insurance examinations."

"An act in relation to the regrading and paving of Grand street, from Union avenue to Bushwick avenue in the city of Brooklyn, with Belgian pavement."

"An act to empower the trustees of the village of Horseheads to build a dam across the Chemung canal, at any place they may select south of the junction of the Chemung canal and feeder, within the limits of the corporation of the village of Horseheads."

"An act to provide compensation for referees in certain cases."

"An act to amend chapter 30 of the Laws of 1876, entitled 'An act to amend chapter 520 of the Laws of 1870, entitled 'An act to establish and maintain a police force in the city of Troy,' and to increase the powers and duties of the police commissioners of said city,' passed February 28, 1876."

"An act to authorize the Pennsylvania and New York Petroleum Transportation Company to use, occupy and enjoy the bed and banks of the Genesee Valley canal for certain purposes."

The bill entitled "An act to create a corporation for the improvement of innavigable streams and their tributaries," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOBBIE	NORTH	SHELDON
ALVORD	CORMACK	HOYT	NOYES	SKINNER
ANDREWS	CRAWFORD	HURD	PALMER	SLITER
ASTOR	CURRAN	JONES	PARKER	STORY
BAKER	DAY	KEEGAN	PATTENGILL	STRACK
BATHE	DEYOE	KELLOGG	CICERO C. PECK	SUTHERLAND
BEARD	DUELL	KERN	POOL	E. TAYLOR
BERGEN	FISH	LANGNER	PRESCOTT	TERRY
BERRIGAN	FLOYD-JONES	LOVELAND	REYNOLDS	THAIN
BERRY	FOSTER	MAPES	ROBERTS	THOMSON
BROOKS	GILBERT	MATTISON	ROWLAND	TOWNSLEY
BROWNING	GRADY	MCDONOUGH	SAWYER	VALENTINE
BRUNDAGE	GRIGGS	MEKEEL	SEARING	WILBOR
CHAPPELL	HALLIDAY	MOOERS	SEEBACHER	WILLIS
CLAPP	HAVENS	MEYENBORG	SEWELL	WINCH
CLARK	HEPBURN	NELSON	SHANLEY	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to granting licenses to sell intoxicating drinks," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 91. NOES 2.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOBBIE	MOOERS	SHANLEY
ALLEN	CURRAN	HOLBROOK	NELSON	SHEARD
ALVORD	DAY	HOYT	NORTH	SHELDON
ASTOR	DEYOE	HULME	NOYES	SKINNER
BAKER	FISH	JONES	PALMER	SLITER
BATHE	FITZGERALD	KEATOR	PARKER	STORY
BERGEN	FLOYD-JONES	KEEGAN	PATTENGILL	STRACK
BERRIGAN	FLYNN	KELLOGG	PATTERSON	SUTHERLAND
BERRY	FOSTER	KERN	CICERO C. PECK	E. TAYLOR
BROOKS	GALVIN	KING	PEEK	THAIN
BROWNING	GILBERT	LANGNER	POOL	THOMSON
BRUNDAGE	GRAHAM	LOVELAND	PRESCOTT	TOWNSLEY
CASE	GRIGGS	LOWING	PROPER	VALENTINE
CHAPPELL	HALLIDAY	MAPES	REYNOLDS	WADSWORTH
CHASE	HAMILTON	MCDONOUGH	ROBERTS	WEMPLE
CLANCY	HAVENS	MEKEEL	ROWLAND	WILBOR
CLAPP	I. I. HAYES	J. H. MILLER	SAWYER	WILLERS
CLARK	HEPBURN	MOLLER	SEWELL	WILLIS
CORMACK				

Those who voted for the negative, were

BEARD MEYENBORG

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The privileges of the floor were granted to the Hon. Mr. Moody.

The bill entitled "An act to amend chapter 309 of the Laws of 1877, entitled 'An act making an appropriation to pay the expenses of the col-

lection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the 1st day of October, 1877," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CHAPPELL	HAMILTON	MEKKEEL	SAWYER
ALLEN	CHASE	HEPBURN	S. V. R. MILLER	SEWELL
ALVORD	CLAPP	HOLBROOK	MOOERS	SHEARD
ASTOR	CLARK	HOYT	MEYENBORG	SHELDON
BAKER	CONVERSE	HULME	NELSON	SKINNER
BATHE	CORMACK	HURD	NORTH	SUTHERLAND
BEARD	CRAWFORD	JONES	NOYES	THAIN
BERGEN	DEYOE	KEATOR	PALMER	THOMSON
BERRIGAN	FISH	KEEGAN	PARKER	TOWNSLEY
BERRY	FLOYD-JONES	KERN	PATTENGILL	VALENTINE
BOUCK	FLYNN	KING	CICERO C. PECK	WADSWORTH
BROOKS	FOSTER	LANGNER	POOL	WEMPLE
BROWNING	GALVIN	LOVELAND	PRESCOTT	WILBOR
BRUNDAGE	GILBERT	MAPES	REYNOLDS	WILLERS
BURNS	GRAHAM	MATTISON	ROBERTS	WILLIS
CASE	HALLIDAY	MCDONOUGH	ROWLAND	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 691 of the Laws of 1865, entitled 'An act to amend an act entitled An act to amend an act for the incorporation of companies formed to navigate the lakes and rivers, passed April 15, 1854,' and to amend an act entitled 'An act to amend an act entitled An act for the incorporation of companies to navigate the lakes and rivers, passed April 15, 1854,' passed April 15, 1861," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CLARK	HOLBROOK	MOOERS	SEEBACHER
ALVORD	CORMACK	HOYT	MEYENBORG	SEWELL
ASTOR	CRAWFORD	HULME	NELSON	SHEARD
BAKER	CROWLEY	HURD	NELSON	SHELDON
BATHE	DEYOE	JONES	NORTH	SKINNER
BEARD	DUELL	KEATOR	NOYES	SLITER
BERGEN	FISH	KEEGAN	PALMER	STRACK
BERRIGAN	FITZGERALD	KELLOGG	PARKER	SUTHERLAND
BERRY	FLOYD-JONES	KERN	PATTENGILL	THOMSON
BOUCK	FLYNN	KING	CICERO C. PECK	TOWNSLEY
BROWNING	FOSTER	LANGNER	PEEK	VALENTINE
BRUNDAGE	GILBERT	LOVELAND	POOL	WARING
BURNS	GRAHAM	LOWING	PRESCOTT	WEMPLE
CASE	HALLIDAY	MAPES	REYNOLDS	WILBOR
CHAPPELL	HAMILTON	MCDONOUGH	ROBERTS	WILLIS
CLANCY	HEPBURN	MEKKEEL	ROWLAND	WINCH
CLAPP	HOBBIE	S. V. R. MILLER	SAWYER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable the park commissioners of the city of Buffalo to transfer to said city their jurisdiction and control over certain lands taken for a park and laid out by said commissioners as part of Delaware street," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CHASE	J. HAYES	S. V. R. MILLER	SHEARD
ALLEN	CLANCY	HEPBURN	MOLLER	SHELDON
ALVORD	CLAPP	HOBBIE	MOOERS	SKINNER
ANDREWS	CLARK	HOLBROOK	MEYENBORG	SLITER
ASTOR	CORMACK	HOYT	NEILSON	SUTHERLAND
BAKER	COSAD	HULME	NORTH	E. TAYLOR
BATHE	CRAWFORD	HURD	NOYES	THOMSON
BEARD	CROWLEY	JONES	PALMER	TOWNSLEY
BERGEN	CURRAN	KEATOR	PARKER	VALENTINE
BERRIGAN	DALY	KEEGAN	PATTENGILL	WADSWORTH
BERRY	DAY	KELLOGG	PEEK	WARING
BOUCK	DUELL	KERN	POOL	WEMPLE
BROOKS	FITZGERALD	KING	PRESCOTT	WILBOR
BROWNING	FOSTER	LANGNER	REYNOLDS	WILLERS
BRUNDAGE	GRAHAM	LOVELAND	SAWYER	WILLIS
BURNS	GRIGGS	LOWING	SEEBACHER	WINCH
CASE	HALLIDAY	MCDONOUGH	SEWELL	WORTH
CHAPPELL	HAVENS	MEKEEL		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable the board of education of the city of Brooklyn to sell certain lands," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	DAY	KEATOR	NOYES	SKINNER
ALVORD	DEYOE	KEEGAN	PALMER	SLITER
ANDREWS	FISH	KERN	PARKER	STRACK
ASTOR	FITZGERALD	KING	PATTERSON	SUTHERLAND
BATHE	FOSTER	LANGNER	CICERO C. PECK	E. TAYLOR
BERRIGAN	FRANK	LOVELAND	PEEK	TERRY
BERRY	GILBERT	LOWING	POOL	THOMSON
BOUCK	GRAHAM	MATTISON	PRESCOTT	TOWNSLEY
BROOKS	GRIGGS	MCDONOUGH	REYNOLDS	VALENTINE
BRUNDAGE	HALLIDAY	MEKEEL	ROBERTS	WADSWORTH
CHAPPELL	HAMILTON	S. V. R. MILLER	ROWLAND	WARING
CHASE	HAVENS	MOLLER	SAWYER	WEMPLE
CLAPP	J. HAYES	MOOERS	SEEBACHER	WILBOR
CLARK	HENRY	MEYENBORG	SEWELL	WILLERS
CORMACK	HOBBIE	NEILSON	SHEARD	WILLIS
COSAD	HURD	NELSON	SHELDON	WINCH
CROWLEY	JONES	NORTH		

For the negative,

CLANCY

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate returned the bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," with a message that they had concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause, and insert as follows:

SECTION 1. The treasurer shall pay, on the warrant of the comptroller, from the several funds specified, to the persons and for the objects indicated in this act, the amounts named, or such parts of those amounts as shall be sufficient to accomplish in full the purposes designated by the appropriations; but no warrant shall be issued, except in cases of salaries, until the amounts claimed shall have been audited and allowed by the comptroller, who is hereby authorized to determine the same.

The persons demanding payment shall present to him, if required, a detailed statement, in items, verified by affidavit; and, if such account shall be for services, it must show when, where and under what authority they were rendered; if for expenditures, when, where and under what authority they were made; if for articles furnished, when and where they were furnished, to whom they were delivered, and under what authority and if the demand shall be for traveling expenses, the account must also specify the distance traveled, the places of starting and destination, the duty or business, and the date and items of expenditure.

On all accounts for transportation, furniture, blank and other books furnished for the use of offices, binding, blanks, printing, stationery and postage, a bill duly certified must also be furnished; but, whenever any appropriation shall have been made for the same purpose, or the amount shall have been provided otherwise, the sum herein directed to be paid shall not be considered as an addition to such other appropriation, unless it shall be expressly so declared in this act.

FROM THE GENERAL FUND.

For the clergymen officiating as chaplains of the Assembly during the session of eighteen hundred and seventy-eight, for compensation to be paid to the Clerk of the Assembly for distribution by him to those clergymen, at the rate of three dollars per day for every day of attendance, the sum of four hundred dollars.

For the Reverend Ebenezer Halley, for compensation for services as chaplain of the Senate, during the session of eighteen hundred and seventy-eight, the sum of five hundred dollars.

For the rent of rooms, gas, fuel and furniture for the use of Assembly committees for the session of eighteen hundred and seventy-eight, at number one hundred and seventy State street, Albany, the sum of thirteen hundred and fifty dollars.

For rent of rooms in Congress Hall for the use of Senate committee on miscellaneous corporations, to be allowed in part payment for rent of building, three hundred dollars.

For Charles H. Peck, State botanist, for traveling and other expenses, as such botanist, the sum of ninety-seven dollars and twelve cents.

For George Hawkins and John Johnson, for services in charge of the closets of the Capitol, under the appointment of the keeper of the Capitol, to each of them, one hundred and fifty dollars.

For the Commissioners of Fisheries, to be expended as they may deem proper, upon vouchers to be approved by the Comptroller, for the pur-

pose of replenishing the lakes and rivers of this State with fish, the sum of fifteen thousand dollars.

For the keeper of the Capitol, to pay Sigismund Adler, James McGinty and Richard M. Johnson, for services in attendance upon the convention of the Justices of the Supreme Court in the Senate chamber on the third and fourth of October, eighteen hundred and seventy-six, the sum of eighteen dollars.

For the trustees of the State Library, for the purchase of cases for the preservation of specifications of British patents, two hundred dollars.

For Chester J. Moore, for services in subpoenaing witnesses in contested seat cases in the Assembly of eighteen hundred and seventy-eight, the sum of three hundred dollars.

For the officers and employees of the Legislature of eighteen hundred and seventy-eight, not exceeding three in number in each house, as may be designated by the presiding officers of the respective houses, to remain after the adjournment of the Legislature, to perform duty for a period not exceeding fourteen days, to each one in such sum, not exceeding his legal per diem allowance, as the clerk of each house respectively shall certify and apportion out of the sum hereby appropriated, the sum of five hundred and four dollars, or so much thereof as may be necessary.

For the payment of the expenses of cartage of Senate and Assembly documents to the post-office in Albany, during the session of eighteen hundred and seventy-eight, two hundred dollars, to be paid to the parties who render the services, in such proportion as the Comptroller shall determine to be just and proper.

For Le Roy Satterlee, for expense of improving the heating and ventilation of the Senate chamber, pursuant to resolution of the Senate, adopted January second, eighteen hundred and seventy-eight, the sum of two thousand nine hundred and ninety dollars and forty-eight cents.

For the payment of the expenses for finishing the work of renewing and replacing State boundary lines, in pursuance of chapter four hundred and twenty-four of the Laws of eighteen hundred and seventy-five, the sum of five thousand dollars.

The unexpended balance of the appropriation of five thousand dollars made in chapter one hundred and ninety-three of the Laws of eighteen hundred and seventy-six, "for the expenses of the officers of the United States service appointed by the President of the United States to revise the exterior pier and bulkhead lines of the harbor of New York, on the Staten Island side," being the sum of three thousand and twenty-six dollars and seventy-five cents, is hereby reappropriated for the same purpose.

For completing maps and locating monuments for pier and bulkhead lines on the Hudson river, from the State dam at Troy to the city of Hudson, the sum of six hundred dollars.

For supplying deficiencies in the various law libraries of the State, for paying arrears in purchases, and for additional purchases therefor, as follows: For a law library of the judges of the Court of Appeals, the sum of one thousand dollars, to be paid on the bills therefor, certified by the judge having such library in charge, and on checks or drafts of the chief judge of that court; for the law library of the fourth judicial district, the sum of seven hundred and fifty dollars, to be paid on bills therefor, certified by the presiding justice of said district; for the law library of the sixth judicial district, at Delhi, Delaware county, the sum of one thousand dollars, to be paid on bills therefor, certified by the jus-

tice of said district residing at Delhi; for the law library of the eighth judicial district, the sum of one thousand dollars, to be paid on bills therefor, certified by the trustees of said library; for the law library of the sixth judicial district, located at Binghamton, the sum of two thousand dollars, to be paid on bills therefor, certified by Celora E. Martin, justice of the Supreme Court, residing at Binghamton; for the law library of the seventh judicial district, at Rochester, the sum of one thousand dollars, to be paid on bills therefor, certified by the presiding justice of said district, and for each of the other district law libraries of the State, the sum of five hundred dollars, to be paid on bills therefor, certified in each case by the presiding justice of such district.

For the expense of preparing the present court room of the Court of Appeals for a library, and for preparing the present Senate chamber for the use of said court as a court room, and the ante-room and library room of the Senate chamber as a consultation room for said court, the sum of one thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the judges of said court.

For the trustees of the new State hall, the sum of one thousand dollars, or so much thereof as may be necessary, for fitting and furnishing a suitable office, in the present capitol building, for such State officer, whose office is now located in the new State hall, as, in the opinion of said trustees, can properly be temporarily transferred thereto, and for the expense attending such removal.

The said trustees shall, upon such removal and transfer, file with the Secretary of State a certificate designating such apartments, so fitted and furnished, as the office of the State officer for whom the same is intended, and such State officer shall thereupon occupy the same for the purpose of his office, and the same shall be his office for all purposes until otherwise provided by law.

For the Secretary of State, for arranging, binding and removing the blanks and original returns of the enumerators of the census of eighteen hundred and seventy-five, the sum of one thousand two hundred dollars, or so much thereof as may be necessary; the binding to be uniform with that of the census of eighteen hundred and sixty-five, and to be deposited, when completed, in the State library.

For James C. Hale and Walter H. Dickson, corporals, and Delbert Barber, William O. Ball, George W. Husted, William J. Harvey, William Rickenbrode, Daniel Patton, Daniel Northrop and Orval Ogden, privates, of the third separate company of infantry, thirty-first brigade (now eleventh separate company), national guard, as a gratuity in full for all claims for personal injuries received by them while in the discharge of their duties as members of such company, near the city of Buffalo, in resisting rioters, in July last, the sum of six thousand dollars, to be distributed among them by the Adjutant-general of the State, Francis B. Brewer and John H. Towle (the last two residing at Westfield, New York), or a majority of them, in such proportions as to such referees shall seem just and equitable.

For Abner L. Roberts, as a gratuity, in full for all claims for personal injuries received by him, while in the discharge of his duty in eighteen hundred and seventy-four as a keeper in Clinton prison, from an assault upon him by a convict of said prison, with a deadly weapon, the sum of one thousand dollars.

For printing and binding, in paper covers, eighteen hundred copies each of the twenty-seventh, twenty-eighth, twenty-ninth and thirtieth

reports of the State Museum of Natural History, to be paid on the certificate of the Secretary of the Regents of the University, three thousand eight hundred and twenty-two dollars and fifty cents.

For printing and binding an amended edition of the New York Code of Public Instruction, to be prepared by the Superintendent of Public Instruction, and by him distributed, one to each of the school districts of the State, the sum of twelve thousand dollars, or so much thereof as may be necessary.

For printing and binding an amended edition of the school laws of this State, to be prepared by the Superintendent of Public Instruction, and by him to be distributed, one to each of the school districts of the State, the sum of one thousand five hundred dollars.

For the expenses of the committee on commerce and navigation of the Senate, and of its clerk, in the investigation of the Union Ferry company, pursuant to resolution of the Senate, and for the services of a stenographer, the sum of one hundred and sixty-six dollars and ten cents.

To Frank McKinnon, for services as clerk of the Senate committee on miscellaneous corporations, nine hundred dollars, or so much thereof as may be necessary, to pay for such services at the rate of seven dollars per day for the present session, to be paid in the same manner as other clerks to Senate committees.

For the bank department, for deficiency in appropriations, for expenses of regular examinations of savings banks for the year ending September thirtieth, eighteen hundred and seventy-seven, three thousand one hundred and forty-nine dollars, and for the year ending September thirtieth, eighteen hundred and seventy-eight, five thousand dollars, which said sums shall be refunded to the treasury of the State by the corporations examined.

For the office of the Attorney-General, for deficiency in appropriations for payment of salaries of deputies, clerks and messenger, authorized under chapter forty of the Laws of eighteen hundred and seventy-eight, six thousand six hundred and twenty-five dollars.

For the payment to the widow and heirs-at-law of the late John G. Wasson of interest from October first, eighteen hundred and seventy-seven to April first, eighteen hundred and seventy-eight, upon a certificate issued under chapter eight hundred and thirty of the Laws of eighteen hundred and sixty-eight, nine hundred dollars.

For deficiency in appropriations for repairs, cleaning, gas, transportation of books, and other necessary expenses of the State Library, four hundred dollars.

For deficiency in appropriations for furniture, books, binding, blanks, printing and other necessary expenses of the following public offices, namely, of the Comptroller, one thousand two hundred dollars; of the Superintendent of Public Instruction, seven hundred dollars; of the Attorney-General, five hundred dollars; and of the State Engineer and Surveyor, five hundred dollars.

For deficiency in appropriations for the maintenance of convicts sentenced to penitentiaries in pursuance of chapter one hundred and fifty-eight of the Laws of eighteen hundred and fifty-six, chapter five hundred and eighty-four of the Laws of eighteen hundred and sixty-five, chapter six hundred and sixty-seven of the Laws of eighteen hundred and sixty-six, chapter five hundred and seventy-four of the Laws of eighteen hundred and sixty-nine, chapter two hundred and forty-seven

of the Laws of eighteen hundred and seventy-four, and chapter five hundred and seventy-one of the Laws of eighteen hundred and seventy-five, forty-six thousand dollars, or so much thereof as may be necessary.

For the payment of the Comptroller's bond, held in trust for the common school fund, issued in pursuance of section eleven, title three, chapter eight of the first part of the Revised Statutes, two hundred and fifty thousand dollars, and to pay the interest on said bond, eleven thousand five hundred dollars, or so much thereof as may be necessary.

For the salary of the shore inspector for the current fiscal year, two thousand dollars, payable from the proceeds of the tax levied in pursuance of chapter six hundred and four of the Laws of eighteen hundred and seventy-five.

For the actual and necessary traveling and incidental expenses of the agent of the Comptroller to examine the accounts of auctioneers, three hundred dollars, or so much thereof as may be necessary.

For deficiency in appropriations for the legislative printing for the State, including binding, mapping, engraving, publication of the official canvass and other official notices, and for printing the natural history of the State, twenty-five thousand dollars, or so much thereof as may be necessary.

For expenses of removing intruders from Indian lands, one hundred and fifty dollars, or so much thereof as may be necessary.

For deficiency in appropriations for compensation of criers and attendants of the court of appeals, one thousand five hundred dollars, or so much thereof as may be necessary.

For deficiency in appropriations for the compensation of sheriffs for the transportation of convicts to the prisons, asylum for insane convicts, penitentiaries and houses of refuge, six thousand five hundred dollars, or so much thereof as may be necessary.

For deficiency in appropriations for compensation and mileage of members and officers of the legislature, ten thousand dollars, or so much thereof as may be necessary.

For deficiency in appropriations for the apprehension of criminals, one thousand dollars.

For clerk hire in the preparation of the annual report on railroads for the year eighteen hundred and seventy-seven, one thousand dollars, or so much thereof as may be necessary, payable on the certificate of the late state engineer and surveyor, to be refunded to the treasury by the several railroad corporations of this state in proportion to their respective gross receipts, pursuant to chapter five hundred and twenty-six of the laws of eighteen hundred and fifty-five.

The comptroller is hereby authorized and empowered, whenever he shall deem it necessary, to examine, or cause to be examined, the financial affairs and business administration of any asylum for the insane, state prison, reformatory, house of refuge, or other charitable or pœnal institution receiving appropriations from the state treasury, and for that purpose the comptroller or the agent designated by him to conduct such examination, shall have power to administer oaths and to subpœna witnesses, and shall have free access to all account books, vouchers and records of any institution which shall be investigated in pursuance of this authority, and the sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated to carry this provision into effect.

For removing obstructions in Chautauqua lake, and in the outlet

thereof, and for making and setting the necessary buoys therein, the sum of two thousand dollars; the work to be done and money expended under the direction of commissioners of navigation of said lake; but no part of said money herein appropriated shall be paid to such commissioners until they shall have executed a bond to the people of the state of New York, to be approved by the comptroller, conditioned that they will faithfully discharge their duties as said commissioners, and truly account, under oath, to the comptroller, for all moneys received by them for the purposes aforesaid.

For repairing the highway upon the Cattaraugus Indian reservation, running from Gowanda through said reservation into the town of Perrysburgh in Cattaraugus county, changing the line thereof, and for the erection and repair of bridges thereon, the sum of two thousand dollars, to be expended under the supervision of Millen T. Hill, Enoch Taylor second, and William F. Vosburgh, of Gowanda aforesaid, who are hereby appointed commissioners for that purpose, who shall each receive out of said sum two dollars per day for each full day occupied by them in and about the repairing of said road, but the total compensation of such commissioners shall not exceed the sum of one hundred and fifty dollars, and no part of the sum hereby appropriated shall be paid over to said commissioners until they shall have executed a bond to the people of this state, to be approved by the comptroller, conditioned that they will faithfully discharge their duties as such commissioners, and truly account under oath to the comptroller for all moneys received by them for the purpose aforesaid, and no part of said sum shall be expended except upon a plan and estimate of said work which will complete it within the sum above appropriated.

For repairing the road across the Onondaga Indian reservation, leading from what is known as the "Castle Hotel," in the town of Onondaga, to a point intersecting the road leading by the house of Edwin Clark, a distance of about one and one-eighth miles, the sum of five hundred dollars, to be expended under the supervision of John Kelley, of said town, who is hereby appointed a commissioner for that purpose, who shall receive out of said sum three dollars per day for each full day occupied by him in the discharge of such duty, but for not exceeding ten days in the aggregate, and who shall execute to the people of this State a bond, to be approved by the Comptroller, for the faithful discharge of his duties as such commissioner.

For the Tonawanda band of Seneca Indians, for the completion of the manual labor school for such band of Indians, the sum of one thousand dollars.

For building a new and additional school-house on the Saint Regis Indian reservation, and one on the Tonawanda reservation, the sum of five hundred dollars each.

For the purchase of a coat of arms of the State of New York, with an appropriate frame, to be placed in the Washington mansion, at Mount Vernon, Virginia, one hundred and fifty dollars, to be expended under the direction of the president of the Senate of this State.

For the trustees of Washington's headquarters, belonging to the State, at Newburgh, the sum of one thousand five hundred dollars, for building an iron fence on the north side of the grounds thereof along Washington street, similar to the fence already constructed on Liberty street; but no part of the sum herein appropriated shall be paid by the Comptroller until he shall be satisfied that additional funds have been raised, by

subscription or otherwise, sufficient, with this appropriation, to complete the fence around said grounds.

For the clerk of the Assembly, for preparing the appendix to the clerk's manual, pursuant to resolution of the Assembly, adopted May twenty-fourth, eighteen hundred and seventy-seven, three hundred dollars; for preparing and classifying under appropriate headings for the use of the Legislature, an index to papers on file in the Assembly from eighteen hundred and seventy-three to eighteen hundred and seventy-seven, both inclusive, pursuant to resolution of the Assembly adopted May twenty-fourth, eighteen hundred and seventy-seven, seven hundred and fifty dollars; and for preparing under appropriate headings a complete index to the Laws of the State from eighteen hundred and seventy-five to eighteen hundred and seventy-seven, both inclusive, pursuant to resolution of the Assembly adopted May twenty-fourth, eighteen hundred and seventy-seven, one thousand dollars.

For the journal clerk of the Assembly, for preparing and classifying under appropriate headings, under the direction and supervision of the clerk of the Assembly, a complete index to all papers on file in the Assembly from eighteen hundred and seventy-three to eighteen hundred and seventy-seven, both inclusive, pursuant to resolution of the Assembly adopted May twenty-fourth, eighteen hundred and seventy-seven, six hundred and seventy-five dollars; and for preparing and classifying under appropriate headings, under the direction and supervision of the clerk of the Assembly, a complete index to all bills printed during the years eighteen hundred and seventy to eighteen hundred and seventy-seven, both inclusive, pursuant to resolution of the Assembly adopted May twenty-fourth, eighteen hundred and seventy-seven, one thousand two hundred and fifty dollars.

For Henry A. Glidden, late clerk of the Senate, for preparing a continuation of the general index of documents of the Senate and Assembly, from eighteen hundred and seventy to eighteen hundred and seventy-eight, and distributing the same, pursuant to resolution of the Senate, adopted May twenty-fourth, eighteen hundred and seventy-seven, the sum of twelve hundred dollars; and for preparing an index to the journal and testimony taken before the Senate on the trial of the charges against De Witt C. Ellis, and distributing the same, pursuant to a resolution of the Senate, adopted August seventeen, eighteen hundred and seventy-seven, the sum of five hundred dollars.

For the clerk of the Senate for preparing an index to the journal and proceedings of the Senate, in the trial of the charges against John F. Smyth, Superintendent of the Insurance Department, and distributing the same, pursuant to resolution of the Senate adopted March twenty-four, eighteen hundred and seventy-eight, the sum of five hundred dollars.

For Frank R. Winne, for services in subpoenaing witnesses before the Senate, on the trial of the charges against John F. Smyth, Superintendent of the Insurance Department, and for other services performed during said trial, the sum of two hundred dollars.

For the expenses and services of the assistant appointed in pursuance of resolution of the Assembly, adopted May twenty-fourth, eighteen hundred and seventy-seven, for the investigation of the financial relations of the Oneida and Stockbridge Indians with this State, the sum of three hundred dollars.

For the county of Delaware, the sum of one thousand one hundred and sixteen dollars and four cents, that being the amount claimed to be due said county pursuant to chapter eight hundred and seventeen of the Laws of eighteen hundred and sixty-eight, and chapter eight hundred and fifty-seven of the Laws of eighteen hundred and sixty-nine, but which it is claimed has not been paid; which sum is hereby re-appropriated and shall be allowed to said county in liquidation and payment of so much of any indebtedness of said county to the State, if, upon investigation, the Comptroller shall ascertain that the same is due said county and unpaid.

For the county of Greene, the sum of one thousand seven hundred and twenty-one dollars and seventy-four cents, that being the amount claimed to be due said county pursuant to chapter eight hundred and seventeen of the Laws of eighteen hundred and sixty-eight, chapter eight hundred and fifty-seven of the Laws of eighteen hundred and sixty-nine, chapter seven hundred and four of the Laws of eighteen hundred and seventy, and chapter eight hundred and sixty-nine of the Laws of eighteen hundred and seventy-one, but which it is claimed has not been paid; which sum is hereby re-appropriated, and shall be allowed to said county in liquidation and payment of so much of any indebtedness of said county to the State, if, upon investigation, the Comptroller shall ascertain that the same is due said county and unpaid.

For the county of Cayuga, as an equitable reimbursement for certain expenses incurred and paid for the two trials in eighteen hundred and seventy-three and eighteen hundred and seventy-four and the appeals thereon, of Michael Donohue, a convict, indicted for the murder of a convict in Auburn prison, including all disbursements made necessary during the incarceration of said Donohue, prior to, pending and subsequent to the trials; for like expenses incurred and paid for the trials, in eighteen hundred and seventy-four, of John Coughlin, Patrick Eagan, Thomas E. Hardy and Patrick Clifford, convicts, indicted for assault with a deadly weapon, upon a keeper in said prison, including like disbursements; for like expenses incurred and paid for the trial, in eighteen hundred and seventy-five, of Edwin Thomas, a convict, indicted for the murder of a convict in said prison, including like disbursements; for like expenses incurred and paid for the trial, in eighteen hundred and seventy-seven, of Harvey Thorpe, a convict, indicted for the murder of a convict in said prison, including like disbursements; and for like expenses incurred and paid for the trial, in eighteen hundred and seventy-seven, of William Barr, a convict, indicted for the murder of a keeper in said prison, including like disbursements, the sum of seven thousand and eleven dollars and forty-five cents.

For the paymaster-general, to defray expenditures authorized by chapter one hundred and eighty-four of the Laws of eighteen hundred and sixty three, the sum of five hundred dollars.

For repairs of arsenals and armories belonging to the State, thirty-five thousand dollars, or so much thereof as may be necessary, to be paid on the audit of the Adjutant-General and the approval of the Commander-in-Chief.

For the Adjutant-General, for services of clerks employed by him in copying the muster-out rolls of volunteers, eight thousand dollars; for services and expenses in prosecuting the war claims of the State against the United States under his direction, five thousand dollars, or so much thereof as may be necessary; and for the payment to the commandant

of Battery H. for rations furnished to his command at encampment ordered at general headquarters, one hundred and ninety-one dollars and thirty-three cents; all to be paid on the audit of the Adjutant-General and the approval of the Commander-in-Chief.

For the Adjutant-General, to be apportioned equally among the companies of the fifty-fourth regiment, national guard, in repayment of advances made by them for lockers, gun racks, and other fixtures in the State Armory at Rochester, three thousand dollars; and for payment to the separate troop of cavalry, Capt. Miller, twelfth brigade, national guard, for moneys paid by it in the purchase of its equipment, three thousand dollars.

For aiding separate companies of infantry, and new companies in regiments and battalions of the national guard, in uniforming and equipping, sixty thousand dollars, or so much thereof as may be necessary, to be paid on the audit of the Adjutant-General and the approval of the Commander-in-Chief.

For replacing the uniforms, arms, equipments and furniture lost by the eighth regiment of the national guard in the destruction of its armory by fire on the seventeenth of February, eighteen hundred and seventy-eight, the sum of forty-nine thousand nine hundred and fifty-six dollars, or so much thereof as may be necessary, to be paid on the audit of the Adjutant-General and the approval of the Commander-in-Chief.

For replacing the furniture lost by the third brigade of the national guard in the destruction of the eighth regiment armory by fire on the seventeenth of February, eighteen hundred and seventy-eight, the sum of six hundred and fifty dollars, or so much thereof as may be necessary, to be paid on the audit of the Adjutant-General and the approval of the commander-in-chief.

For Sing Sing prison, for building a new dock, twenty-three thousand dollars; for partitions, plastering ceilings and walls, and for other necessary alterations in the building heretofore used as a female prison, four thousand dollars; for iron fence around the south-east and north-east gates, including fastenings and other trimmings, three thousand dollars; for new shops and necessary repairs and alterations of old shops, thirty thousand dollars, and for library for the prison, five hundred dollars.

For Auburn prison for relaying floors in shops, one thousand five hundred dollars; for one thousand feet of new hose and for hydrant houses, one thousand five hundred dollars; for iron stair-case to front and rear entrance to prison and for stairs leading to north and south walls, one thousand dollars; for addition to work-shops, one thousand five hundred dollars; for putting night bars on twelve hundred and seventy-two cells, and for material for the same, two thousand five hundred dollars; for five new guard-houses and for repointing wall, one thousand dollars, and for library for the prison, five hundred dollars.

For Clinton prison, for constructing a stone wall to enclose about three acres of the prison grounds, five thousand dollars; for repairing shoe shop, and for setting boilers and engines, three thousand dollars, and for library for the prison, five hundred dollars.

For securing additional religious instruction to convicts in the several State prisons, the sum of fifteen hundred dollars, to be expended under the direction of the Superintendent of State Prisons.

For the asylum for insane convicts at Auburn, for completing and fur-

nishing lower ward of new wing; for laying floor in first ward; for repairing, painting and refurnishing second ward; for ceiling third ward; for repairing, painting and furnishing center building; for alterations to front entrance; for rebuilding green-house; for washing-machine; for steam pump and connections; for covering steam-pipes; for airing court for female patients, and for library books, the sum of six thousand two hundred and twenty-five dollars.

For the New York State Reformatory at Elmira, for maintenance of the reformatory; for employing the prisoners thereof, and to perfect the establishment as projected, fifty thousand dollars, to be expended under the direction of the managers thereof.

For the New York State Soldiers and Sailors' Home, at Bath, for the payment of existing indebtedness against the same, or the association formerly owning the same, thirteen thousand three hundred and sixteen dollars; for the completion and furnishing of its buildings and the construction of a water reservoir and the laying of water pipes, fifty-four thousand and forty-five dollars; and for the support and maintenance of its inmates during the fiscal year commencing October first, eighteen hundred and seventy-eight, fifteen thousand dollars.

For the Homœopathic Asylum for the Insane at Middletown, for maintenance, for engineer's house and dormitory for servants, for barn and tool-house, for ice-house, for double windows, for plumbing and refitting water closets, for fencing, gateway, farm improvements and grading park and grounds, for cess-pools, for furniture, for safes, and for farm stock and implements, nineteen thousand two hundred and fifty dollars.

For the Hudson River State Hospital for the Insane, for the completion of the center building, for plumbing, water and sewer connections and hot-water boilers, for steam-heating apparatus, boilers and necessary connections, for brick-draining, food cars, tramways and hoisting-lifts, for extras, incidentals and deficiencies pertaining to the several contracts, for farm fences, stock and grounds, for farm buildings, tenements, outbuildings, and removing and repairing buildings, for books and instruments, for renewals and repairs, and for east and west sections, including laundry, drying-room, ironing-room, fan-house and connections, eighty-five thousand dollars.

For the New York State Lunatic Asylum at Utica, for additions, alterations and repairs of buildings, thirty-five thousand six hundred and thirty-four dollars and fourteen cents; and the further sum of twenty thousand dollars, to complete the renewal and remodeling of wards seven, eight and nine of the women's department during the present fiscal year.

For the Willard asylum for the insane, for locomotive for railroad and for freight on same from Philadelphia, for one passenger car, six coal cars, two swill cars, one lumber car, and for turn-table and additional switches, for ballasting and lining road track, for stone walls for areas, and for culverts and sewers about and from buildings, for machinery and furnishing shops for carpenters, smiths and machinists, for finishing engine room and converting old shop into sleeping room for attendants, for extending and enlarging barns and sheds for cows and working cattle, for water supply, completing heating apparatus, for water and gas pipes, and for grading about new group of buildings erected in eighteen hundred and seventy-seven, for steam pump, freight thereon and setting same, and making connections to pipes and suction pipe, for new floor and ceiling in old agricultural building and fundamental changes in same for better adaptation to asylum purposes, for brick or sheet-iron covered

ways from main kitchen to north and south wings and extension of main building, and for iron stairs to main building, for securing foundations, and tiling floor of kitchen and cook rooms of main building, for staining and painting centre building, and for three additional washing machines and other implements for laundry, fifty-eight thousand dollars.

All laws authorizing the appointment of a building superintendent, and fixing the salary of building superintendent for Willard Asylum for the insane, are hereby repealed.

For the Buffalo State asylum for the insane, to complete the buildings now in process of construction, embracing the main building, the five male wards, the work shop, kitchen, bakery, engine room and fan room, and for furnishing the same and preparing them for the reception of patients, the sum of one hundred and seventy-five thousand dollars.

For the society for the reformation of juvenile delinquents on Randall's island, for deficiency in appropriations for support and maintenance, thirty-three thousand five hundred and sixty dollars and ninety-one cents; and for the erection of fire-proof stair cases in both wings of the institution, the sum of twenty thousand dollars.

For the support of the female department of the Western House of Refuge for Juvenile Delinquents, from January first to October first, eighteen hundred and seventy-eight, eleven thousand two hundred and fifty dollars; and for the erection of a kitchen and bakery, five thousand dollars.

For the support and maintenance of adult, idiotic and feeble-minded females at an experimental custodial asylum, under the management of the trustees of the New York State Asylum for Idiots, the sum of eighteen thousand dollars.

For the Saint Joseph's Institute for the improved instruction of deaf-mutes, at Fordham, for deficiency in appropriations for support and maintenance up to January first, eighteen hundred and seventy-eight, the sum of two thousand six hundred and fifty-four dollars and eighty cents, and from January first to October first, eighteen hundred and seventy-eight, the sum of six thousand five hundred and twenty-five dollars.

For the Western New York Institution for Deaf-mutes, at Rochester, for deficiency in appropriations for support and maintenance for the year ending September thirtieth, eighteen hundred and seventy-seven, the sum of two hundred and ninety-nine dollars and five cents, and for the year ending September thirtieth, eighteen hundred and seventy-eight, the sum of three thousand dollars.

For the Central New York Institution for Deaf-mutes, at Rome, for the support and education of eleven deaf-mutes, for various periods of time, from September first, eighteen hundred and seventy-six, to October first, eighteen hundred and seventy-eight, in addition to those provided for by former appropriations, the sum of five hundred and sixty-six dollars and sixty-seven cents.

For the support and maintenance of juvenile delinquents at the New York Catholic Protectory, fifty thousand dollars.

For the blind asylum, at Batavia, for securing a supply of water for fire and other purposes, for the purchase of apparatus for giving instruction to the blind, for repairing rooms, for building additional work room and for additional bedding, ten thousand dollars.

For the State Inebriate Asylum, at Binghamton, for repairing the towers, cornice and battlements, the coping, walls and roof of the north

wing of the asylum, and repointing and repainting front wall, in order to preserve the building from further deterioration from rain and snow, the sum of two thousand five hundred dollars.

For finishing the basement and first stories of the State Inebriate Asylum, at Binghamton, the sum of seven thousand five hundred, thirty-four dollars and thirty-cents.

For the commissioners of quarantine, for repair of rip-raps or sea wall of Swinburne island, repair of machinery and dock and for painting; for repairs of roof of buildings on Hoffman island, and for painting; for repairs of boiler of steamer N. K. Hopkins, and for painting the steamer; for repairs of the steamer Illinois and the residence of the health officer, twenty thousand dollars, and for the care and maintenance of the quarantine establishment, ten thousand dollars.

For the commissioners of emigration, for the payment of their current expenses during the year commencing on the first of May, eighteen hundred and seventy-eight, the sum of one hundred and fifty thousand dollars.

For the State Normal school at Albany, for repairs of the building, including painting, draining and ventilation, and for the purchase of furniture, two thousand five hundred dollars.

For the State Normal school at Oswego, for repairing and enlarging the buildings, and for necessary expenses for sewers, grading grounds and repairing fences, in accordance with plans to be approved by the comptroller and the superintendent of public instruction, the sum of forty-four thousand nine hundred dollars.

For the support and care of State paupers, pursuant to chapter six hundred and sixty-one, of the Laws of eighteen hundred and seventy-three, for deficiency in appropriations, ten thousand dollars.

For the support and maintenance of Charles Pierce, an insane Indian, in the Onondaga county insane asylum, from September sixteenth, eighteen hundred and seventy-five, to December thirty-first, eighteen hundred and seventy-seven, the sum of five hundred and seventy-two dollars.

For supplying the town of Livonia, in the county of Livingston, the town of Leyden, in the county of Lewis, the town of Cayuta, in the county of Schuyler, and the town of Chester, in the county of Orange, each, with the Revised Statutes and other books usually supplied to towns, to replace those recently destroyed by fire, the sum of fifty dollars each, or so much thereof as may be necessary.

For Messrs. Hiscock, Gifford and Doheny, as attorneys for defendants Stephens, Belden, Denison and Gale, in the action hereinafter named, the sum of six thousand eight hundred and twenty dollars and twenty-nine cents, being the amount in full payment of the principal of two judgments for costs against the people of this State in the action commenced in the name of the people by Attorney-General Barlow against said Stephens, Belden, Denison, Gale and others, which judgments were docketed in Albany county clerk's office, the one on the fourth day of May, eighteen hundred and seventy-seven, and the other (affirming the first judgment) on the twenty-ninth day of January, eighteen hundred and seventy-eight; and the further sum of three hundred and ninety-five dollars and fifty-eight cents for interest on said judgments.

The Comptroller shall pay the above sums to the above named attorneys upon their producing to, and filing with the Comptroller, a satisfaction

of both such judgments, certified to be in due form by the Attorney-General.

For John Flanagan, as defendant in the action hereinafter named, the sum of six hundred and sixty-four dollars and sixty-six cents, being the amount in full payment of the principal of two judgments for costs against the people of this State in the action commenced by the late Attorney-General against John Flanagan, which judgments were docketed in the clerk's office of the county of New York, the one on the eighth day of March, eighteen hundred and seventy-five, and the other (affirming the first judgment) on the eighth day of November, eighteen hundred and seventy-seven, and the further sum of ninety dollars and eighty-two cents for interest on said judgments.

The Comptroller shall pay the above sums to the above-named defendant upon his producing to, and filing with the Comptroller, a satisfaction of both said judgments certified to be in due form by the Attorney-General.

For Rufus W. Peckham, survivor of Peckham & Tremain, as attorneys for the defendants in the action hereinafter named, the sum of two thousand nine hundred and four dollars and fifty-one cents, being the amount in full payment of two judgments for costs against the people of this State in the action commenced in the name of the people by Attorney-General Barlow against John Leahey and Jarvis Lord, which judgments were docketed in the Albany county clerk's office, the one on the twenty-third day of February, eighteen hundred and seventy-seven, and the other (affirming the first judgment) on the sixth day of February, eighteen hundred and seventy-eight. The Comptroller shall pay the above sum to the above-named Rufus W. Peckham, upon his producing to and filing with the Comptroller a satisfaction of both such judgments, certified to be in due form by the Attorney-General.

For P. L. Ely, as attorney for Gilbert Peterson in the action hereinafter named, the sum of two hundred and eighty dollars, being the amount in full payment of two judgments for costs against the people of this State in the action commenced in the name of the people by Attorney-General Barlow against William C. Stephens, Gilbert Peterson and others, and for interest thereon, which judgments were docketed in the Albany county clerk's office, the one on the fourth day of May, eighteen hundred and seventy-seven, and the other (affirming the first judgment) on the twenty-ninth day of January, eighteen hundred and seventy-eight. The Comptroller shall pay the above sum to the above-named attorney, upon his producing to and filing with the Comptroller a satisfaction of both such judgments, certified to be in due form by the Attorney-General.

For William H. Bowman, as attorney for George D. Lord in the action hereinafter named, the sum of two hundred and eighty dollars, being the amount in full payment of two judgments for costs against the people of this State in the action commenced in the name of the people by Attorney-General Barlow, against William C. Stephens, George D. Lord and others and for interest thereon, which judgments were docketed in the Albany county clerk's office, the one on the fourth day of May, eighteen hundred and seventy-seven, and the other (affirming the first judgment) on the twenty-ninth day of January, eighteen hundred and seventy-eight. The Comptroller shall pay the above sum to the above named attorney, upon his producing to, and filing with the Comptroller, a satis-

faction of both such judgments, certified to be in due form by the Attorney-General.

For George F. Foote, for payment of a judgment obtained by him in the superior court of the city of New York against the State Homœopathic Asylum for the Insane, at Middletown, entered upon the report of the referee filed in said court January third, eighteen hundred and seventy-eight, and for interest thereon, the sum of four thousand three hundred and seventy-seven dollars and fifty-six cents.

For the Attorney-General, for the payment of services, expenses and disbursements of counsel appointed by the Governor in behalf of the State for the prosecution of charges against DeWitt C. Ellis, late Superintendent of the Bank Department, before the Senate in eighteen hundred and seventy-seven, the sum of twelve thousand dollars, or so much thereof as may be necessary; for the payment of services and expenses of counsel appointed by Attorney-General Pratt in behalf of the State, for the prosecution of charges against the late sheriff of the county of Oneida, five hundred and forty-nine dollars and eighty cents, or so much thereof as may be necessary; for the payment of services of counsel on the part of the State, selected and appointed by Governor Dix at the request of Attorney-General Pratt, on three indictments against Charles H. Phelps, in the Supreme Court and in the Court of Appeals, the sum of three thousand dollars, or so much thereof as may be necessary; for payment of services of counsel on the part of the State, on appeal from award of canal appraisers in the case of Oswego Canal Company, the sum of one hundred dollars; for the payment of services of counsel in defending in special and general term a proceeding in mandamus in which Jerome B. Parmenter was relator, to compel the clerk of the Senate to deliver to relator the record of proceedings of the Ellis trial for publication by him, the sum of two hundred and fifty dollars; for the services of John McKeon, as counsel on the part of the State, at the request of the prosecutor, during the investigation before the Senate committee on banks, on the charges against DeWitt C. Ellis, late Superintendent of the Bank Department, the sum of one thousand dollars; and for the payment of the balance unpaid for services, expenses and disbursements, in the Supreme Court and Court of Appeals, of counsel on the part of the State, employed by Attorney-Generals Pratt and Fairchilds, in the suits of the people against Stephens and others, the people against Lord and Leahy, the people against Belden and others, and in other suits and proceedings relative to canal contracts and claims, six thousand five hundred dollars, or so much thereof as may be necessary.

For John M. Clancy, for compensation of counsel employed by him in the matter of the contested election for member of assembly in eighteen hundred and seventy-eight, for the first assembly district of the county of Kings, and for other expenses therein, the sum of two thousand dollars.

For John F. Berrigan, for compensation of counsel employed by him in the matter of the contested election for member of assembly in eighteen hundred and seventy-eight, for the first assembly district of the county of New York, and for other expenses therein, the sum of one thousand dollars.

For John Clark, for compensation of counsel employed by him in the matter of the contested election for member of assembly in eighteen hundred and seventy-eight, for the thirteenth assembly district of the

county of New York, and for other expenses therein, the sum of two thousand dollars.

For Charles H. Duell, for compensation of counsel employed by him in the matter of the contested election for member of Assembly in eighteen hundred and seventy-eight, for the Thirteenth Assembly district of the county of New York, and for other expenses therein, the sum of two thousand dollars; and the further sum of nine hundred and twenty dollars for that portion of his annual salary as member of Assembly, which was drawn by John Clark while occupying his seat.

For Ambrose H. Purdy, for compensation of counsel employed by him in the matter of the contested election for member of Assembly in eighteen hundred and seventy-eight, for the First Assembly district of the county of Westchester, and for other expenses therein, the sum of two thousand dollars.

For the payment of awards made by the board of audit, the sum of ten thousand six hundred and thirty-four dollars and four cents, or so much thereof as may be necessary, as follows: for Almira L. Story, four hundred and thirty-seven dollars and twenty-four cents; for William Sinclair, eleven dollars; for Caroline Schwarzman, eight hundred and forty dollars; for James W. Eaton, two thousand seven hundred and ninety-four dollars, for Thomas F. Trenor, thirty dollars and fifty cents; for Frederick Bishop, three hundred and twenty dollars; for Hudson C. Tanner, three hundred dollars; for John McKenna, two hundred and fourteen dollars and five cents; for A. B. Elliot, one hundred and forty-two dollars and fifty cents; for George G. Herman, nine hundred and ninety-one dollars; for Rufus W. Peckham, one thousand dollars; for Henry Smith, one thousand dollars; for Matthew Hale, one thousand dollars; for Samuel Hand, one thousand dollars; for T. H. Ferris, seventy-two dollars and seventy cents, and for John B. Haskins, four hundred and eighty-one dollars and five cents.

For the erection of an armory in the city of Watertown, Jefferson county, for the use of the national guard in said city and county, the sum of fifteen thousand dollars, to be expended under the direction of the Adjutant-General, the Inspector-General, and the Chief of Ordnance of this State; but no part of said sum shall be expended by them except upon a contract for the completion of such armory within the limits of this appropriation, nor until an indefeasible title to a suitable site for such armory, free from all incumbrances, shall be vested in the people of this State.

For the erection of an armory in the city of Kingston, Ulster county, for the use of the national guard, in said city and county, the sum of fifteen thousand dollars, to be expended under the direction of the Adjutant-General, the Inspector-General and the Chief of Ordnance of this State; but no part of said sum shall be expended by them except upon a contract for the completion of such armory within the limits of this appropriation, nor until an indefeasible title to a suitable site for such armory, free from all incumbrances, shall be vested in the people of this State.

The sum of five thousand dollars appropriated in chapter one hundred and ninety-three of the Laws of eighteen hundred and seventy-six, "for removing the bars and dredging the channel of Cayuga inlet," is hereby re-appropriated for diking and dredging the channel of Cayuga inlet and its tributaries, and for repairing the pier at said inlet, under the

direction of the Superintendent of Public Works; which work shall be let by contract to the lowest responsible bidder as now required by law for the advertising and letting of public work.

For the payment of a canal certificate, with interest thereon, given by the late Canal Commissioner in charge of the middle division of the canals, to C. L. McAlpine in eighteen hundred and seventy-two, addressed to the Auditor of the Canal Department, for extraordinary expenses incurred in the discharge of his duties as a resident engineer, the sum of eight hundred and twenty dollars.

For the payment of interest upon canal certificates given by the Canal Commissioner of the middle division of the canals, in eighteen hundred and seventy-five, to Howard Soule, Junior (for the payment of the principal of which certificates provision was made in chapter one hundred and ninety-three of the Laws of eighteen hundred and seventy-six), the sum of one thousand nine hundred and fifty-six dollars, or so much thereof as may be necessary.

For the payment of two years' salary of the arbitrator of the court of arbitration of the chamber of commerce of the city of New York, ending September thirtieth, eighteen hundred and seventy-eight, twenty thousand dollars; and for the payment of two years' salary of the clerk of said court, for the same period of time, six thousand dollars, pursuant to section six of chapter four hundred and ninety-five, of the Laws of eighteen hundred and seventy-five, and from and after the said thirtieth day of September, eighteen hundred and seventy-eight, said section six, and also section twenty-nine of said chapter four hundred and ninety-five, of the Laws of eighteen hundred and seventy-five, are hereby repealed.

The unexpended balance of the appropriation of twenty-two thousand eight hundred dollars made in chapter one hundred and ninety-three of the Laws of eighteen hundred and seventy-six, "to refund to contractors the amounts deposited by them, in trust, with the late treasurer, in pursuance of chapter eight hundred and fifty of the Laws of eighteen hundred and seventy-two, and chapter seven hundred and sixty-six of the Laws of eighteen hundred and seventy-three, with such equitable interest as may be due thereon," being the sum of seven thousand nine hundred and ninety-one dollars and eighty-five cents, is hereby reappropriated for the same purpose.

For Weed, Parsons & Co., for four sets, sixth edition, of Revised Statutes, per resolution of the Assembly, passed January thirty-first, eighteen hundred and seventy-eight, sixty-four dollars; for two sets, sixth edition, of Revised Statutes, and lettering same, per resolution of Senate passed February seventh, eighteen hundred and seventy-eight, thirty-four dollars; for making index to volume two, Session Laws of eighteen hundred and seventy-eight, known as the Code of Civil Procedure, two hundred and fifty dollars; for printing and binding five thousand two hundred copies of the census of eighteen hundred and seventy-five, including one hundred and forty-five thousand six hundred lithographic maps, per concurrent resolution passed May sixteenth, eighteen hundred and seventy-seven, seventeen thousand two hundred and fifty-five dollars and seven cents; for printing and binding thirteen thousand five hundred copies of school registers for the department of public instruction, in eighteen hundred and seventy-seven, pursuant to the provisions of section nineteen, title one, chapter five hundred and fifty-five of the Laws of eighteen hundred and sixty-four and a like

number for eighteen hundred and seventy-eight, eight thousand one hundred dollars; for binding for the Secretary of State one hundred volumes of plates of fossils for geological survey of the State, in full cloth and half-Turkey morocco, fifty-three dollars; for ruling and printing, for the census bureau, blanks of various sizes, for making out copy for the publication of the census of eighteen hundred and seventy-five, four hundred and thirty-two dollars and seventy-five cents; for printing blanks and labels and binding, for the State cabinet of natural history, four hundred and ninety-nine dollars and forty-five cents, to be paid on the certificate of the curator; for printing, expressage and postage for the commissioners to revise the statutes, payable on the certificate of the chairman of the commissioners as the work progresses, five thousand dollars; for printing one hundred and fifty copies of the testimony before the special committee of the Senate to investigate certain allegations made in the New York World against Senator William B. Woodin, six hundred and twenty dollars and forty cents; for printing testimony, pursuant to resolution of the Senate, passed May fourth, eighteen hundred and seventy-seven, and furnishing postage for the Senate committee on banks, in the matter of De Witt C. Ellis, late Superintendent of the Bank Department, eight hundred and ninety dollars and thirty-seven cents; for printing and binding five hundred copies, in three volumes, law sheep, of the testimony taken before the Senate on the trial of the charges against De Witt C. Ellis, as Superintendent of the Bank Department, together with the testimony taken by the Senate committee on banks, and the journal of the Senate in the same case, pursuant to resolution of the Senate passed August seventeenth, eighteen hundred and seventy-seven, five thousand two hundred dollars, or so much thereof as may be necessary, to be paid on the certificate of the Clerk of the Senate under whose direction the work was done; for furnishing copies of Convention document, number one, to the Senate in eighteen hundred and seventy-three, pursuant to resolution of the Senate passed March nineteenth, eighteen hundred and seventy-three, one hundred dollars; for printing five hundred copies of general index to the Laws of the State, volume five, eighteen hundred and seventy-six to eighteen hundred and seventy-eight; five hundred copies of general index to all bills printed in the years eighteen hundred and seventy-two to eighteen hundred and seventy-seven, both inclusive; five hundred copies of general index of the papers on file in the Assembly for the years eighteen hundred and seventy-three to eighteen hundred and seventy-seven, both inclusive, and five hundred copies of general index to bills presented to the Assembly, and not acted on, during the years eighteen hundred and seventy-three to eighteen hundred and seventy-seven, both inclusive (all of which having been prepared by the Clerk of the Assembly, pursuant to resolution of the Assembly, passed May twenty-fourth, eighteen hundred and seventy-seven, and ordered printed and bound), four thousand dollars, or so much thereof as may be necessary, to be paid on the certificate of the Clerk of the Assembly that the work has been properly executed and delivered; for printing blank, descriptive, order and letter books for the National Guard, for the office of the Adjutant-General, four hundred and five dollars, to be paid on the certificate of the Adjutant-General; for printing for the Assembly committee on apportionment, twenty-eight dollars, to be paid on the certificate of the chairman of the committee; for printing testimony taken before the Assembly committee on privileges and elections, in the cases of Morris against Purdy, Duell against

Clark, and Bradley against Clancy, one thousand six hundred and ninety-five dollars and seventy-six cents; and for printing and binding, in two volumes, five hundred copies of the continuation of the general index to the documents of the State of New York, from seventeen hundred and seventy-seven to eighteen hundred and seventy-seven, both years inclusive, prepared by the Clerk of the Senate, pursuant to a resolution of the Senate passed May twenty-four, eighteen hundred and seventy-seven, three thousand six hundred and twenty-four dollars, or so much thereof as may be necessary, to be paid on the certificate of the Clerk of the Senate under whose direction the work was executed.

For the Argus company, for printing six hundred copies of charges preferred by the Governor against De Witt C. Ellis, late Superintendent of the Bank Department, forty-four dollars and ten cents; for printing six hundred copies of the journal of the extra session of the Senate, at Saratoga, one hundred and ninety-seven dollars and forty cents; and for printing six hundred copies of the testimony taken before the Senate in extra session at Saratoga, on charges against De Witt C. Ellis, late Superintendent of the Bank Department, three thousand one hundred and thirty-five dollars and thirty cents; and for printing six hundred copies, and binding four hundred in cloth and one hundred in full leather, of "the testimony and arguments of counsel before the Senate on charges against John F. Smyth, Superintendent of the Insurance Department," and six hundred copies of the "journal of the Senate," pursuant to resolution of the Senate adopted March twelve, eighteen hundred and seventy-eight, the sum of one thousand three hundred and eight dollars.

For Jerome B. Parmenter, for printing and binding five thousand four hundred copies of the annual report of the State Engineer and Surveyor, on railroads, for the year eighteen hundred and seventy-seven, the sum of twelve thousand three hundred and twelve dollars and ten cents, to be refunded to the treasury of the State by the several railroad companies of this State, in proportion to their respective gross receipts, pursuant to chapter five hundred and twenty-six of the Laws of eighteen hundred and fifty-five, and the several acts of the Legislature in relation thereto.

For continuing the work on the new capitol building, in the manner and for the purpose indicated in section two of chapter seven of the Laws of eighteen hundred and seventy-eight, payable out of the surplus balances now in the treasury, not otherwise appropriated, the sum of seven hundred thousand dollars, which shall be paid by the Treasurer upon the warrant of the Comptroller, to the order of the new capitol commissioners, as they shall require the same. The new capitol commissioners are hereby authorized to take measures for the construction of suitable sidewalks and cross-walks on and across Washington avenue in front of the new capitol building, and to purchase by contract or otherwise the furniture for the north center portion of the building, in order that such portion may be ready for occupancy on the first day of January, eighteen hundred and seventy-nine.

The new Capitol Commissioners are hereby charged with the care and superintendence of the north center portion of the new Capitol building when completed, and with the employment of the necessary attendants and laborers therefor, and also with the duty of providing for the heating, lighting and cleaning of the same, out of appropriations herein made for the new Capitol.

For the city of Syracuse, for the local assessment and expense of paving on Salina street, in said city, in front of the salt springs office, in eighteen hundred and seventy-six, three hundred and eighty-two dollars and seventy-two cents; for the local assessment and expense of constructing a sewer in Salina street, in said city, in front of the salt springs office, in eighteen hundred and seventy-six, fifty-two dollars and sixty-two cents; and for local assessment and expense of constructing a sewer in Leavenworth avenue and Clark street, in said city, in front of lands belonging to the State, in eighteen hundred and seventy-seven, two thousand four hundred and seventy-nine dollars and seven cents.

For the city of Utica, for the local assessment and expense of grading Canal street, from the old city line to the Whitesboro road, five hundred and fifty-six dollars and twelve cents.

PAYABLE FROM THE GENERAL FUND DEBT SINKING FUND.

For the redemption of that portion of the general fund State debt reimbursable July first, eighteen hundred and seventy-eight, eight hundred thousand dollars; and to provide the coin for the redemption of the said State debt, the sum of twenty-four thousand dollars or so much thereof as may be necessary.

PAYABLE FROM THE BOUNTY DEBT SINKING FUND.

The balance of twenty-nine thousand one hundred and ninety-three dollars and thirty-nine cents, remaining to the credit of the bounty debt sinking fund, is hereby re-appropriated to the payment of the principal and interest of the general fund State debt.

PAYABLE FROM THE COMMON SCHOOL FUND.

For investment of the capital of the common school fund as required by law, two millions six hundred and fifty thousand dollars.

PAYABLE FROM THE LITERATURE FUND.

For investment of the capital of the literature fund, as required by law, thirty-six thousand dollars.

PAYABLE FROM THE UNITED STATES DEPOSIT FUND.

For investment of the capital of the United States deposit fund, as required by law, four hundred and seventy-five thousand dollars.

PAYABLE FROM THE COLLEGE LAND SCRIP FUND.

For investment of the capital of the college land scrip fund, as required by law, seventeen thousand dollars.

PAYABLE FROM THE CORNELL ENDOWMENT FUND.

For investment of the capital of the Cornell endowment fund, as required by law, thirty thousand dollars.

PAYABLE FROM THE ORDINARY CANAL REPAIR FUND.

For the construction of a foot bridge over the Erie canal, on Kohler street, in the village of Tonawanda, the sum of five hundred dollars, or so much thereof as may be necessary.

For the construction of a draw in the bridge over the navigable channel of the Oneida river, at Brewerton, between the counties of Oswego and Onondaga, the sum of seven thousand five hundred dollars.

For the construction of a lift-bridge over the Oswego canal, in the city of Syracuse, on Salina street, at its intersection with Bridge street, in

place of the bridge now over said canal at that point, which was authorized by chapter three hundred and eighty-two of the Laws of eighteen hundred and seventy-four, the sum of twelve thousand dollars, or so much thereof as may be necessary.

For repairing the stop-gate in the Genesee river feeder at Rochester, and for draining and putting in sanitary condition said feeder, the sum of one thousand four hundred dollars, to be expended under the direction of the State Engineer and Surveyor.

For the construction of a suitable bridge over the Erie canal in the village of Tonawanda, connecting Delaware street in Erie county with Main street in Niagara county, the sum of twelve thousand dollars; said bridge to be built of such materials and in such manner as the State Engineer and Surveyor shall direct; provided, however, that before said bridge shall be constructed, or any portion of this appropriation shall be expended, the village of Tonawanda and the owners of land taken for or adjoining the site for said bridge shall indemnify and release the State from all and every claim for damages or compensation for land taken, or for other damages, and provided further that said village shall have first, at its own cost, constructed the necessary approaches for such bridge.

For dredging the canal basin at the foot of combined locks at Whitehall, the sum of ten thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the Superintendent of Public Works.

§ 2. This act shall take effect immediately.

Mr. Alvord moved to non-concur in the amendments made in the Senate to said bill, and that a conference committee be appointed on the part of the House, and requested a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee of conference, on the part of the House, Messrs. Alvord, I. I. Hayes, Wadsworth, Brooks and Halliday.

Mr. Mapes offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 339, entitled "An act to amend the charter of the city of Rochester, and to change its boundaries," be recommended to the committee on affairs of cities, retaining its place on the order of third reading of bills.

Mr. Alvord moved to amend by adding, at the end of said resolution, the words "and that said committee be instructed to report back said bill on the next legislative day."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the negative, as follows:

AYES 28.

NOES 54.

Those who voted in the affirmative, were

ABBOTT	BOUCK	DUELL	HOLBROOK	MOLLER
ALLEN	BROOKS	FISH	HULME	MEYENBERG
ALVORD	BROWNING	FITZGERALD	HURD	PRESCOTT
ANDREWS	CHASE	HALLIDAY	JONES	STRACK
BEARD	CLARK	HAMILTON	LANGNER	WILLIS
BERRY	DALY	J. HAYES		

Those who voted in the negative, were

ASTOR	GRAHAM	J. H. MILLER	ROBERTS	THAIN
BERGEN	GRIGGS	MOOERS	ROWLAND	THOMSON
BERRIGAN	HOBBIE	NORTH	SAWYER	TOWNSLEY
CLANCY	HOYT	NOYES	SEEBACHER	VALENTINE
CLAPP	KEATOR	PALMER	SEWELL	WADSWORTH
CORMACK	LOVELAND	PARKER	SHELDON	WAKELY
COSAD	LOWING	PATTERSON	SKINNER	WILBOR
DEYOE	MATTISON	PEEK	SLITER	WILLERS
DOUGLASS	MCDONOUGH	PROPER	SUTHERLAND	WINCH
FLOYD-JONES	MEAD	PURDY	E. TAYLOR	WORTH
FOSTER	MEKEEL	REYNOLDS	TERRY	

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 72.

NOES 30.

Those who voted in the affirmative, were

ALLEN	DEYOE	KERN	PATTENGILL	STRACK
ANDREWS	DOUGLASS	KING	PATTERSON	E. TAYLOR
BAKER	FLOYD-JONES	LOVELAND	CICERO C. PECK	J. T. TAYLOR
BATHE	FRANK	LOWING	PEEK	THAIN
BERGEN	GALVIN	MATTISON	POOL	THOMSON
BERRIGAN	GRAHAM	MCDONOUGH	PROPER	TOWNSLEY
CHASE	GRIGGS	MEAD	PURDY	VALENTINE
CLANCY	I. I. HAYES	MEEKEL	REYNOLDS	WADSWORTH
CLAPP	HENRY	J. H. MILLER	ROBERTS	WAKELY
CONVERSE	HOBBIE	MOOERS	SAWYER	WARING
CORMACK	HOYT	NEILSON	SEEBACHER	WILBOR
COSAD	HURD	NORTH	SEWELL	WILLERS
CRAWFORD	KEATOR	NOYES	SHEARD	WINCH
CROWLEY	KEGAN	PALMER	SHELDON	WORTH
CURRAN	KELLOGG			

Those who voted in the negative, were

ABBOTT	BROOKS	FLYNN	HULME	PARKER
ALVORD	BROWNING	FOSTER	JONES	PRESCOTT
ASTOR	CHAPPELL	HALLIDAY	MAPES	SKINNER
BEARD	CLARK	HAMILTON	S. V. R. MILLER	SUTHERLAND
BERRY	DALY	HAVENS	MEYENBORG	WEMPLE
BOUCK	FISH	HOLBROOK	NELSON	WILLIS

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A communication was received and read from the Governor in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 25, 1878. }

To the Assembly :

In accordance with a joint resolution of the Senate and Assembly, I return, for amendment, Assembly bill No. 217, entitled "An act in relation to the city court of Yonkers."

L. ROBINSON.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HENRY	MOLLER	SHEARD
ALVORD	CROWLEY	HOBBIE	MEYENBORG	SHELDON
ANDREWS	CURRAN	HOLAHAN	NORTH	SKINNER
ASTOR	FISH	HOLBROOK	NOYES	STRACK
BAKER	FITZGERALD	HOYT	PALMER	SUTHERLAND
BEARD	FLOYD-JONES	HULME	PARKER	E. TAYLOR
BERGEN	FOSTER	HURD	PATTENGILL	J. T. TAYLOR
BERRIGAN	GALVIN	JONES	PATTERSON	THOMSON
BERRY	GILBERT	KING	PEEK	TOWNSLEY
BOUCK	GRAHAM	LANGNER	POOL	VALENTINE
BROOKS	GRIGGS	LOVELAND	PRESCOTT	WAKELY
CHASE	HALLIDAY	LOWING	ROBERTS	WARING
CLANCY	HAMILTON	MATTISON	SAWYER	WEMPLE
CLAPP	HAVENS	MEKEEL	SEARING	WILLERS
CLARK	I. I. HAYES	J. H. MILLER	SEWELL	WINCH
CONVERSE	J. HAYES			

Mr. Purdy moved to recommit said bill to the committee on affairs of cities, with instructions to amend the same by striking out all after the word "party," in line 1, down to and including the word "jury," in line 2, and insert in lieu thereof the words "in whose favor a verdict shall be given by the jury, shall, before the entering of judgment," and report back forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, reported back said bill, amended as instructed.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	J. HAYES	S. V. R. MILLER	SEEBACHRE
ALVORD	DEYOE	HEPBURN	MOLLER	SHEARD
ANDREWS	DOUGLASS	HOBBIE	MOOERS	SHELDON
ASTOR	DUELL	HOLBROOK	MEYENBORG	SKINNER
BAKER	FISH	HOYT	NELSON	STRACK
BATHE	FITZGERALD	HULME	NORTH	E. TAYLOR
BERGEN	FLOYD-JONES	JONES	NOYES	J. T. TAYLOR
BERRY	FOSTER	KEATOR	PALMER	TERRY
BOUCK	GALVIN	KELLOGG	PARKER	THOMSON
BRUNDAGE	GILBERT	KERN	POOL	VALENTINE
CHAPPELL	GRAHAM	LOVELAND	PRESCOTT	WADSWORTH
CHASE	GRIGGS	MAPES	PURDY	WARING
CLAPP	HALLIDAY	MATTISON	REYNOLDS	WEMPLE
CLARK	HAMILTON	MCDONOUGH	ROBERTS	WILBOR
CONVERSE	HAVENS	MEKEEL	SAWYER	WILLERS
CRAWFORD	I. I. HAYES	J. H. MILLER	SEARING	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Brooks in the chair.

The bill entitled "An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ALVORD	CRAWFORD	HOBBIE	NORTH	SHELDON
ASTOR	CROWLEY	HOLBROOK	NOYES	SKINNER
BAKER	CURRAN	HOYT	PARKER	SLITER
BATHE	DALY	HURD	PATTENGILL	SUTHERLAND
BERGEN	DOUGLASS	JONES	PATTERSON	E. TAYLOR
BERRIGAN	DUELL	KEATOR	CICERO C. PECK	J. T. TAYLOR
BERRY	FISH	KEEGAN	POOL	TERRY
BOUCK	FLOYD-JONES	KERN	PRESCOTT	THOMSON
BROOKS	FOSTER	LANGNER	PURDY	TOWNSLEY
BROWNING	FRANK	LOVELAND	REYNOLDS	VALENTINE
BRUNDAGE	GALVIN	LOWING	ROBERTS	WARING
CHAPPELL	GRAHAM	MATTISON	ROWLAND	WEMPLE
CLANCY	HALLIDAY	MEKEEL	SEARING	WILBOR
CLAPP	HAMILTON	J. H. MILLER	SEEBACHER	WILLERS
CLARK	HAVENS	S. V. R. MILLER	SEWELL	WILLIS
CONVERSE	HENRY	MOOERS	SHANLEY	WINCH
COSAD	HEPBURN	NELSON	SHEARD	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act passed January 18, 1832, entitled 'An act to revise and amend the act entitled An act to authorize the building of a toll bridge over the Hudson river,' passed April 2, 1825, and the act amendatory thereof, passed May 2, 1829," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 84.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	J. HAYES	MOOERS	SHELDON
ALVORD	CURRAN	HENRY	NEILSON	SKINNER
ANDREWS	DAY	HEPBURN	NELSON	SLITER
ASTOR	DEYOE	HOBBIE	NORTH	STRACK
BAKER	DOUGLASS	HOLBROOK	NOYES	SUTHERLAND
BATHE	DUELL	HOYT	PATTENGILL	E. TAYLOR
BERGEN	FISH	HURD	POOL	J. T. TAYLOR
BERRY	FITZGERALD	JONES	PROPER	TERRY
BROOKS	FLOYD-JONES	KEEGAN	PURDY	THOMSON
BROWNING	FLYNN	KERN	REYNOLDS	TOWNSLEY
BRUNDAGE	FOSTER	KING	ROBERTS	VALENTINE
CHAPPELL	GALVIN	LANGNER	ROWLAND	WARING
CHASE	GRAHAM	LOVELAND	SAWYER	WEMPLE
CLAPP	HALLIDAY	LOWING	SEARING	WILBOR
CLARK	HAMILTON	MATTISON	SEEBACHER	WILLIS
CORMACK	HAVENS	S. V. R. MILLER	SEWELL	WORTH
CRAWFORD	I. I. HAYES	MOLLER	SHANLEY	

Those who voted in the negative, were

BEARD MAPES

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the Buffalo city cemetery to convey to the city of Buffalo certain lands for a street," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOLAHAN	MOLLER	STRACK
ALVORD	CROWLEY	HOLBROOK	NEILSON	SUTHERLAND
ASTOR	CURRAN	HOYT	NELSON	E. TAYLOR
BAKER	DAY	HULME	NORTH	J. T. TAYLOR
BATHE	DEYOE	HURD	NOYES	TERRY
BEARD	DOUGLASS	JONES	POOL	THAIN
BERGEN	DUELL	KEATOR	PURDY	THOMSON
BERRIGAN	FITZGERALD	KEEGAN	ROBERTS	TOWNSLEY
BERRY	FLOYD-JONES	KERN	SAWYER	VALENTINE
BOUCK	FLYNN	KING	SEARING	WADSWORTH
BROOKS	FOSTER	LANGNER	SEWELL	WEMPLE
BRUNDAGE	GALVIN	LOVELAND	SHANLEY	WILBOR
BURNS	GRIGGS	MATTISON	SHEARD	WILLERS
CLAPP	HALLIDAY	MCDONOUGH	SHELDON	WILLIS
CLARK	HAMILTON	MEAD	SKINNER	WINCH
CORMACK	HENRY	MEKEEL	SLITER	WORTH
COSAD	HOBBIE	S. V. R. MILLER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing a change of boundary between the park under the jurisdiction and control of the park commissioners of the city of Buffalo and the lands of the Buffalo city cemetery," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	J. HAYES	NELSON	SLITER
ALLEN	CONVERSE	HENRY	NORTH	SUTHERLAND
ALVORD	CORMACK	HOBBIE	NOYES	E. TAYLOR
ANDREWS	CRAWFORD	HOLBROOK	PALMER	J. T. TAYLOR
ASTOR	CROWLEY	HOYT	PARKER	TERRY
BAKER	DALY	HULME	PATTENGILL	THAIN
BATHE	DAY	HURD	POOL	THOMSON
BEARD	DEYOE	JONES	PROPER	TOWNSLEY
BERGEN	DUELL	KEEGAN	REYNOLDS	VALENTINE
BERRIGAN	FISH	LANGNER	ROWLAND	WADSWORTH
BERRY	FLOYD-JONES	LOVELAND	SAWYER	WAKELY
BOUCK	FOSTER	LOWING	SEARING	WARING
BROOKS	GALVIN	MAPES	SEEBACHER	WEMPLE
BRUNDAGE	GRAHAM	MCDONOUGH	SEWELL	WILLERS
BURNS	GRIGGS	MEKEEL	SHEARD	WILLIS
CHAPPELL	HALLIDAY	J. H. MILLER	SHELDON	WINCH
CHASE	HAMILTON	S. V. R. MILLER	SKINNER	WORTH
CLAPP	HAVENS	MEYENBORG		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend and define the liberties of the jail for the county of Ulster," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOBBIE	NOYES	SKINNER
ALVORD	CORMACK	HOLBROOK	PALMER	SLITER
ANDREWS	COSAD	HOYT	PARKER	STRACK
ASTOR	DALY	HULME	PATTENGILL	J. T. TAYLOR
BAKER	DAY	HURD	CICERO C. PECK	TERRY
BATHE	DEYOE	JONES	POOL	TOWNSLEY
BEARD	DUELL	KEEGAN	PROPER	VALENTINE
BERRIGAN	FISH	KERN	PURDY	WADSWORTH
BERRY	FLOYD-JONES	KING	REYNOLDS	WAKELY
BOUCK	FRANK	LANGNER	ROBERTS	WARING
BROWNING	GALVIN	LOWING	ROWLAND	WEMPLE
BRUNDAGE	GRAHAM	MATTISON	SAWYER	WILBOR
CHAPPELL	GRIGGS	MEAD	SEARING	WILLERS
CHASE	HALLIDAY	MEKEEL	SEWELL	WILLIS
CLANCY	HAMILTON	S. V. R. MILLER	SHEARD	WINCH
CLAPP	HAVENS	MOOERS	SHELDON	WORTH
CLARK	I. I. HAYES	NELSON		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to secure the payment of laborers, mechanics, merchants, traders and persons furnishing materials towards the performing of any public work in the cities of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HENRY	S. V. R. MILLER	SHELDON
ALVORD	CONVERSE	HEPBURN	NELSON	SKINNER
ANDREWS	CORMACK	HOBBIE	NORTH	SUTHERLAND
ASTOR	COSAD	HOLBROOK	NOYES	E. TAYLOR
BAKER	CRAWFORD	HOYT	PALMER	J. T. TAYLOR
BATHE	CROWLEY	HULME	PATTENGILL	THAIN
BEARD	CURRAN	JONES	CICERO C. PECK	THOMSON
BERGEN	DALY	KEEGAN	POOL	TOWNSLEY
BERRIGAN	DUELL	KELLOGG	PRESCOTT	VALENTINE
BERRY	FLOYD-JONES	KERN	REYNOLDS	WADSWORTH
BOUCK	FLYNN	LANGNER	ROBERTS	WAKELY
BROOKS	FOSTER	LOVELAND	ROWLAND	WEMPLE
BROWNING	FRANK	LOWING	SAWYER	WHEELER
BRUNDAGE	GALVIN	MAPES	SEARING	WILBOR
CHAPPELL	GILBERT	MATTISON	SEEBACHER	WILLERS
CHASE	GRAHAM	MEKEEL	SHEARD	WORTH
CLAPP	HAMILTON			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to protect spawning fish in the Hudson river," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83. NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOYT	NORTH	SKINNER
ALVORD	CRAWFORD	HULME	NOYES	SUTHERLAND
ANDREWS	CURRAN	JONES	PALMER	E. TAYLOR
ASTOR	DALY	KELLOGG	PARKER	J. T. TAYLOR
BAKER	DOUGLASS	KERN	PATTENGILL	THAIN
BEARD	FISH	KING	CICERO C. PECK	THOMSON
BERGEN	FLOYD-JONES	LANGNER	PEEK	TOWNSLEY
BERRIGAN	FOSTER	LOVELAND	POOL	VALENTINE
BERRY	GALVIN	LOWING	PRESCOTT	WAKELY
BOUCK	GRADY	MATTISON	REYNOLDS	WARING
BROOKS	GRAHAM	MCDONOUGH	ROWLAND	WEMPLE
BRUNDAGE	HAMILTON	MEKEEL	SAWYER	WHEELER
BURNS	HAVENS	S. V. R. MILLER	SEARING	WILBOR
CHAPPELL	HENRY	MOLLER	SEEBACHER	WILLERS
CLANCY	HEPBURN	MOOERS	SHANLEY	WILLIS
CLARK	HOBBIE	MEYENBORG	SHEARD	WINCH
CONVERSE	HOLBROOK	NELSON		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 9, chapter 90 of the Laws of 1869, entitled 'An act to provide for improvement of the navigation of the Racket river and of the hydraulic power thereon, and to check freshets therein,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84. NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOLBROOK	PALMER	SUTHERLAND
ALVORD	CRAWFORD	HOYT	PARKER	E. TAYLOR
ANDREWS	CROWLEY	HULME	PATTENGILL	J. T. TAYLOR
ASTOR	CURRAN	JONES	CICERO C. PECK	THAIN
BEARD	DALY	KEEGAN	PEEK	THOMSON
BERRIGAN	DEYOE	KELLOGG	POOL	TOWNSLEY
BERRY	DOUGLASS	KERN	PRESCOTT	VALENTINE
BOUCK	DUELL	LOVELAND	REYNOLDS	WAKELY
BROOKS	FISH	MAPES	ROBERTS	WARING
BRUNDAGE	FLOYD-JONES	MATTISON	ROWLAND	WEMPLE
BURNS	FOSTER	MCDONOUGH	SAWYER	WHEELER
CHAPPELL	GALVIN	MEKEEL	SEARING	WILBOR
CHASE	GRADY	S. V. R. MILLER	SEEBACHER	WILLERS
CLAPP	GRAHAM	MOLLER	SEWELL	WILLIS
CLARK	HAMILTON	NELSON	SHEARD	WINCH
CONVERSE	HAVENS	NORTH	SHELDON	WORTH
CORMACK	HOBBIE	NOYES	SKINNER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend title 6, chapter 1, part 4, section 2 of the Revised Statutes, entitled 'Of offenses punishable by imprisonment in a county jail, and by fine,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOLBROOK	MEYENBORG	SHELDON
ALVORD	COSAD	HOYT	NEILSON	SKINNER
ANDREWS	CROWLEY	HULME	NORTH	E. TAYLOR
ASTOR	CURRAN	JONES	NOYES	J. T. TAYLOR
BEARD	DALY	KEEGAN	PALMER	TERRY
BERGEN	DEYOE	KELLOGG	PATTENGILL	THAIN
BERRIGAN	DOUGLASS	KERN	PATTERSON	THOMSON
BERRY	FISH	LOVELAND	POOL	TOWNSLEY
BOUCK	FLOYD-JONES	LOWING	PRESCOTT	VALENTINE
BROOKS	FLYNN	MAPES	PROPER	WARING
BROWNING	FRANK	MATTISON	REYNOLDS	WEMPLE
BRUNDAGE	GRADY	MCDONOUGH	ROBERTS	WHEELER
CHAPPELL	GRAHAM	MEAD	ROWLAND	WILBOR
CHASE	HAMILTON	MEKEEL	SAWYER	WILLERS
CLAPP	HAVENS	J. H. MILLER	SEEBACHER	WILLIS
CLARK	J. HAYES	S. V. R. MILLER	SEWELL	WINCH
CONVERSE	HEPBURN	MOLLER	SHEARD	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of the Canterbury fire engine company, in Orange county, and to amend chapter 272 of the Laws of 1830, entitled 'An act to incorporate the Canterbury fire company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HAVENS	S. V. R. MILLER	SHEARD
ALVORD	CONVERSE	I. I. HAYES	MOLLER	SHELDON
ANDREWS	CORMACK	HOBBIE	MEYENBORG	SKINNER
ASTOR	COSAD	HOLBROOK	NEILSON	E. TAYLOR
BAKER	CRAWFORD	HOYT	NORTH	J. T. TAYLOR
BEARD	CROWLEY	JONES	NOYES	TERRY
BERGEN	DALY	KEEGAN	PATTENGILL	THAIN
BERRIGAN	DEYOE	KERN	PEEK	THOMSON
BERRY	DOUGLASS	LANGNER	POOL	TOWNSLEY
BOUCK	DUELL	LOVELAND	PRESCOTT	VALENTINE
BROOKS	FITZGERALD	LOWING	PROPER	WARING
BROWNING	FLOYD-JONES	MATTISON	REYNOLDS	WEMPLE
BRUNDAGE	FLYNN	MCDONOUGH	ROBERTS	WILBOR
CHAPPELL	FOSTER	MEAD	ROWLAND	WILLERS
CHASE	GRAHAM	MEKEEL	SAWYER	WILLIS
CLAPP	HAMILTON	J. H. MILLER	SHANLEY	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker in the chair.

The bill entitled "An act to require incorporated companies and joint stock associations in this State to make, annually, an exhibit of the con-

dition and business of such corporation or company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 88.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CLARK	HOYT	NELSON	SHELDON
ALVORD	CONVERSE	HULME	NORTH	SKINNER
ANDREWS	CORMACK	JONES	NOYES	E. TAYLOR
ASTOR	COSAD	KEEGAN	PALMER	J. T. TAYLOR
BAKER	CURRAN	KELLOGG	PATTENGILL	TERRY
BATHE	DALY	KERN	CICERO C. PECK	THAIN
BEARD	DEYOE	LANGNER	POOL	THOMSON
BERGEN	DOUGLASS	LOVELAND	PRESCOTT	TOWNSLEY
BERRIGAN	DUELL	LOWING	PURDY	VALENTINE
BERRY	FISH	MAPES	REYNOLDS	WAKELY
BOUCK	FITZGERALD	MATTISON	ROBERTS	WARING
BROOKS	FLYNN	MCDONOUGH	ROWLAND	WEMPLE
BROWNING	FOSTER	MEKEEL	SAWYER	WILBOR
BRUNDAGE	GALVIN	J. H. MILLER	SERBACHER	WILLERS
CHAPPELL	GRADY	S. V. R. MILLER	SEWELL	WILLIS
CHASE	HALLIDAY	MOLLER	SHANLEY	WINCH
CLANCY	J. HAYES	MEYENBORG	SHEARD	WORTH
CLAPP	HOLBROOK	NEILSON		

For the negative,

FLOYD-JONES HAMILTON

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Graham, and by unanimous consent, the committee of the whole was discharged from further consideration of Senate bill entitled "An act to provide for more completely equipping the national guard of the State of New York," and said bill was ordered to a third reading.

By unanimous consent,

Mr. Speaker introduced a bill entitled "An act authorizing the village of Peekskill to borrow money for the repairs of streets, highways and bridges, in the village of Peekskill, in anticipation of the moneys to be raised for such purposes in the year 1878," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HOYT	MEYENBORG	SHELDON
ANDREWS	CONVERSE	HULME	NELSON	SKINNER
ASTOR	CORMACK	HURD	NORTH	SUTHERLAND
BAKER	COSAD	JONES	NOYES	E. TAYLOR
BATHE	CROWLEY	KEEGAN	PATTENGILL	J. T. TAYLOR
BEARD	CURRAN	KELLOGG	PATTERSON	THAIN
BERGEN	DEYOE	KERN	PEEK	THOMSON

BERRIGAN	FISH	KING	POOL	VALENTINE
BERRY	FITZGERALD	LANGNER	PRESCOTT	WARING
BOUCK	FLOYD-JONES	LOVELAND	PURDY	WEMPLE
BROOKS	FOSTER	MAPES	REYNOLDS	WHEELER
BROWNING	GALVIN	MATTISON	ROBERTS	WILBOR
BRUNDAGE	GRAHAM	MCDONOUGH	ROWLAND	WILLERS
CASE	HALLIDAY	MEKEEL	SEARING	WILLIS
CHAPPELL	HAMILTON	J. H. MILLER	SEEBACHER	WINCH
CHASE	I. I. HAYES	S. V. R. MILLER	SEWELL	WORTH
CLANCY	HOLBROOK	MOLLER	SHEARD	SPEAKER
CLAPP				

Ordered, That the Clerk deliver said bill to the Sénate, and request their concurrence therein.

By unanimous consent,

Mr. Meyenborg introduced a bill entitled "An act to legalize and confirm the official acts of Robert B. Sedgwick, of the county of Kings, as notary public," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Meyenborg, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	I. I. HAYES	MOLLER	SHANLEY
ALVORD	CORMACK	HENRY	MEYENBORG	SHEARD
ANDREWS	COSAD	HOLBROOK	NEILSON	SHELDON
ASTOR	CRAWFORD	HOYT	NELSON	SKINNER
BAKER	DALY	HULME	NORTH	SLITER
BEARD	DEYOE	HURD	NOYES	E. TAYLOR
BERGEN	DOUGLASS	KELLOGG	PALMER	TERRY
BERRIGAN	DUELL	KERN	PARKER	THAIN
BERRY	FISH	KING	PATTENGILL	THOMSON
BOUCK	FITZGERALD	LANGNER	POOL	TOWNSLEY
BROOKS	FLOYD-JONES	LOVELAND	PRESCOTT	VALENTINE
BROWNING	FOSTER	LOWING	PURDY	WARING
BRUNDAGE	GALVIN	MAPES	REYNOLDS	WEMPLE
CHAPPELL	GRADY	MCDONOUGH	ROBERTS	WILBOR
CHASE	GRAHAM	MEKEEL	ROWLAND	WILLERS
CLAPP	HAMILTON	J. H. MILLER	SEARING	WILLIS
CLARK	HAVENS	S. V. R. MILLER	SEWELL	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Foster introduced a bill entitled "An act in relation to repaving Hudson avenue in the city of Albany, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The bill entitled "An act to authorize the Brooklyn Market Company to construct a tunnel under the canal at Wallabout bay," having been announced for a third reading,

Mr. Waring moved that Assembly bill, Int. No. 893 (not printed), introduced by Mr. Bergen, entitled "An act to authorize the Brooklyn Market Company to construct a tunnel under the canal at Wallabout bay," be committed to the committee on affairs of cities, retaining its place on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 67. NOES 29.

Those who voted in the affirmative, were

ALLEN	CORMACK	HAVENS	MEAD	SAWYER
ALVORD	COSAD	J. HAYES	S. V. R. MILLER	SEARING
ASTOR	CRAWFORD	HOBBIE	MOLLER	SEEBACHER
BAKER	CROWLEY	HOLAHAN	MEYENBORG	SHANLEY
BATHE	CURRAN	HOLBROOK	NEILSON	SLITER
BEARD	DAY	HOYT	NELSON	STRACK
BERGEN	DOUGLASS	HURD	PALMER	E. TAYLOR
BERRIGAN	FITZGERALD	JONES	PATTENGILL	THOMSON
BROWNING	FLOYD-JONES	KELLOGG	PATTERSON	TOWNSLEY
BURNS	FOSTER	LANGNER	CICERO C. PECK	WEMPLE
CASE	FRANK	LOVELAND	PRESCOTT	WILBOR
CHAPPELL	GRADY	MAPES	PURDY	WILLERS
CLANCY	HALLIDAY	MCDONOUGH	ROBERTS	WILLIS
CONVERSE	HAMILTON			

Those who voted in the negative, were

ABBOTT	FISH	KEEGAN	NOYES	SHELDON
BOUCK	FLYNN	KING	PARKER	SKINNER
BRUNDAGE	GALVIN	LOWING	PEEK	SUTHERLAND
CLARK	GILBERT	MATTISON	POOL	VALENTINE
DALY	GRAHAM	MEKEEL	REYNOLDS	WARING
DEYOE	HULME	NORTH	SHEARD	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned Assembly bill entitled "An act making appropriation for certain expenses of government, and supplying deficiencies in former appropriations," with a message that they do assent to a committee of conference, and have appointed on the part of the Senate Messrs. Harris, McCarthy and Jacobs.

The bill entitled "An act to extend the jail limits of Orange county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 79. NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOBBIE	MEYENBORG	SHELDON
ALLEN	CRAWFORD	HOLBROOK	NEILSON	SKINNER
ALVORD	CROWLEY	HOYT	NORTH	SLITER
ASTOR	DALY	HULME	PARKER	SUTHERLAND
BAKER	DAY	HURD	PATTENGILL	E. TAYLOR
BATHE	DEYOE	JONES	PEEK	TERRY
BEARD	DUELL	KEEGAN	POOL	THOMSON
BERGEN	FISH	KERN	PRESCOTT	TOWNSLEY
BERRY	FLOYD-JONES	KING	PURDY	WADSWORTH
BOUCK	FLYNN	LANGNER	ROBERTS	WEMPLE
BROWNING	GALVIN	LOWING	ROWLAND	WILBOR
BRUNDAGE	GRADY	MATTISON	SEARING	WILLERS

CHAPPELL	GRAHAM	MCDONOUGH	SEEBACHER	WILLIS
CHASE	HALLIDAY	J. H. MILLER	SEWELL	WINCH
CLARK	HAMILTON	S. V. R. MILLER	SHANLEY	WORTH
CORMACK	I. I. HAYES	MOLLER	SHEARD	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish moved to take from the table the motion to reconsider the vote by which Assembly bill entitled "An act in relation to the commissioner of jurors in the city of New York," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 73.

NOES 8.

Those who voted in the affirmative, were

ABBOTT	DALY	J. HAYES	S. V. R. MILLER	SEWELL
ALVORD	DAY	HOBBIE	MOLLER	SHEARD
ASTOR	DEYOE	HOYT	MEYENBORG	SHELDON
BATHE	DOUGLASS	HULME	NEILSON	SKINNER
BEARD	DUELL	HURD	NELSON	SLITER
BERGEN	FISH	JONES	NORTH	STRACK
BERRY	FITZGERALD	KEEGAN	PALMER	SUTHERLAND
BOUCK	FLOYD-JONES	KERN	CICERO C. PECK	TERRY
BROOKS	FLYNN	KING	PEEK	TOWNSLEY
BRUNDAGE	FOSTER	LANGNER	POOL	VALENTINE
CASE	GRAHAM	LOVELAND	PRESCOTT	WILBOR
CHAPPELL	GRIGGS	LOWING	REYNOLDS	WILLIS
CHASE	HALLIDAY	MATTISON	ROBERTS	WINCH
CLAPP	HAMILTON	MEAD	SAWYER	WORTH
CURRAN	I. I. HAYES	MEKEEL		

Those who voted in the negative, were

BAKER	BURNS	GALVIN	PROPER	THOMSON
BERRIGAN	FRANK	PATTERSON		

Mr. Fish moved that said bill be recommitted to the committee on affairs of cities, with instructions to amend the same in the words following, and report back forthwith:

Strike out all after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. The commissioner of jurors in the city of New York shall hereafter be appointed by the mayor, on the confirmation of the board of aldermen of said city.

"§ 2. The term of office of the present commissioner of jurors in said city shall cease and terminate twenty days after the passage of this act, and on that date his salary shall cease and terminate. The mayor, within five days after the passage of this act, shall nominate to the board of aldermen a suitable person as commissioner of jurors. If such nomination is rejected, he shall continue to nominate a suitable person until the said board confirms the person so nominated. On the confirmation by the board of aldermen, the mayor shall issue to the person so confirmed a certificate of his appointment as commissioner of jurors, which certificate shall be filed in the office of the clerk of the city and county of New York.

"§ 3. The term of office of the commissioner of jurors hereafter appointed shall be three years, and the annual salary of said commissioner shall be five thousand dollars.

"§ 4. The commissioner of jurors may appoint such clerks and subordinates as he may require to aid him in the discharge of his official duties, and shall fix the salaries of such clerks and subordinates, who shall hold office for the full term for which the commissioner is appointed, except that they may be removed for cause after being afforded an opportunity to be heard. The aggregate expenses incurred by him for such purposes, including the salary of the commissioner, shall not in any one year exceed the sum of twelve thousand dollars. All salaries shall be paid monthly, in the same manner as other salaries of city or county officials are paid. The appropriation for the year eighteen hundred and seventy-eight, to provide for the salary of the commissioner of jurors, is hereby appropriated to pay the salaries and expenses by this section authorized for the year eighteen hundred and seventy-eight.

"§ 5. All fees, fines and penalties collected by said commissioner of jurors, shall be paid over by him, under oath, at the end of each and every month to the chamberlain of the city of New York for account of the commissioners of the sinking fund of said city. Said commissioner shall, at the time of making such monthly payment, furnish to the comptroller of the city and county of New York a sworn return, in writing, setting forth at what date and from whom each fine, fee or penalty was received; and such monthly returns shall be printed in full in the city record, within ten days after the filing thereof, respectively.

"§ 6. The said commissioner of jurors may be removed by the mayor for either or any of the following causes: First, for corruption and malfeasance in office; second, for habitual neglect, carelessness or inefficiency in the discharge of the duties of such office; or for willful disobedience of any of the provisions of this act; provided that such commissioner shall have notice of the cause of his proposed removal, and an opportunity of being heard before the said mayor. And the mayor shall fill, for the unexpired term, any vacancy that may occur in said office.

"§ 7. This act shall take effect immediately."

Mr. Fish moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was decided in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative, as follows:

AYES 74.

NOES 20.

Those who voted in the affirmative, were

ABBOTT	DEYOE	HOYT	MOLLER	STRACK
ALVORD	DOUGLASS	HULME	NELSON	SUTHERLAND
ANDREWS	DUELL	HURD	NORTH	E. TAYLOR
ASTOR	FISH	JONES	NOYES	J. T. TAYLOR
BEARD	FITZGERALD	KEATOR	PALMER	TERRY
BERGEN	FLOYD-JONES	KELLOGG	PEEK	VALENTINE
BERRY	FLYNN	KERN	POOL	WADSWORTH
CASE	FOSTER	LANGNER	PRESCOTT	WAKELY
CHAPPELL	GRIGGS	LOVELAND	REYNOLDS	WARING
CHASE	HALLIDAY	LOWING	ROBERTS	WEMPLE
CLAPP	HAMILTON	MAPES	SAWYER	WILBOR
CLARK	I. I. HAYES	MATTISON	SEWELL	WILLERS
CORMACK	J. HAYES	MEKEEL	SHEARD	WILLIS
CURRAN	HOBBIE	J. H. MILLER	SHELDON	WINCH
DALY	HOLBROOK	S. V. R. MILLER	SKINNER	

Those who voted in the negative, were

BERRIGAN	COSAD	HAVENS	MEAD	PURDY
BROOKS	FRANK	HENRY	NEILSON	SEARING
BURNS	GALVIN	HOLAHAN	PATTERSON	SEEBACHER
CLANCY	GRADY	MCDONOUGH	PROPER	THOMSON

Mr. Fish, from the committee on affairs of cities, reported back said bill amended as instructed by the House.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 76.

NOES 25.

Those who voted in the affirmative, were

ABBOTT	DEYOE	HOYT	MOLLER	SKINNER
ALVORD	DUELL	HULME	NORTH	STORY
ANDREWS	FISH	HURD	NOYES	STRACK
ASTOR	FITZGERALD	JONES	PALMER	SUTHERLAND
BATHE	FLYNN	KELLOGG	PARKER	E. TAYLOR
BEARD	FOSTER	KERN	CICERO C. PECK	TERRY
BERRY	GILBERT	KING	POOL	VALENTINE
BRUNDAGE	GRAHAM	LANGNER	PRESCOTT	WADSWORTH
CASE	GRIGGS	LOVELAND	REYNOLDS	WAKELY
CHAPPELL	HALLIDAY	LOWING	ROBERTS	WARING
CHASE	I. I. HAYES	MAPES	ROWLAND	WILBOR
CLAPP	J. HAYES	MATTISON	SAWYER	WILLERS
CLARK	HEPBURN	MEKEEL	SEWELL	WILLIS
CONVERSE	HOBBIE	J. H. MILLER	SHEARD	WINCH
CURRAN	HOLBROOK	S. V. R. MILLER	SHELDON	WORTH
DALY				

Those who voted in the negative, were

BERRIGAN	FLOYD-JONES	HENRY	NEILSON	SEEBACHER
BROOKS	FRANK	HOLAHAN	PATTERSON	SHANLEY
BURNS	GALVIN	KEEGAN	PROPER	J. T. TAYLOR
CLANCY	GRADY	MCDONOUGH	PURDY	THOMSON
COSAD	HAVENS	MEAD	SEARING	TOWNSLEY

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Reynolds, from the committee on public education, to which was referred the bill introduced by Mr. Flynn, Int. No. 867, entitled "An act to repeal chapter 374 of the Laws of 1876, entitled 'An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Reynolds, from the committee on public education, to which was referred the Senate bill introduced by Mr. Hogan, Int. No. 188, entitled "An act to amend chapter 176 of the Laws of 1831, entitled 'An act incorporating the University of the city of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The Senate sent for concurrence the bill entitled as follows :

"An act to facilitate the discharge of debtors imprisoned by virtue of executions in civil cases," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to amend chapter 575 of the Laws of 1874, entitled 'An act in relation to the Brooklyn, Winfield and Newtown Railroad Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CURRAN	J. HAYES	S. V. R. MILLER	SKINNER
ALLEN	DALY	HENRY	MOLLER	STRACK
ALVORD	DOUGLASS	HOBBIE	MEYENBORG	E. TAYLOR
ASTOR	DUELL	HOLBROOK	NEILSON	TERRY
BATHE	FISH	HOYT	NELSON	THOMSON
BERGEN	FITZGERALD	HULME	NOYES	TOWNSLEY
BERRIGAN	FLOYD-JONES	HURD	PALMER	VALENTINE
BERRY	FLYNN	JONES	POOL	WADSWORTH
BOUCK	FOSTER	KEATOR	PRESCOTT	WAKELY
BRUNDAGE	FRANK	KERN	ROBERTS	WARING
CHAPPELL	GALVIN	KING	ROWLAND	WILBOR
CHASE	GRIGGS	LANGNER	SAWYER	WILLERS
CLARK	HALLIDAY	LOVELAND	SEEBACHER	WILLIS
CORMACK	HAMILTON	MATTISON	SEWELL	WINCH
CRAWFORD	HAVENS	MEKEEL	SHEARD	WORTH
CROWLEY	I. I. HAYES	J. H. MILLER	SHELDON	

For the negative,

KEEGAN

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Havens introduced a bill entitled "An act to extend the time for the collection of taxes in the town of Brookhaven, in Suffolk county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Havens, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HOLBROOK	NELSON	SHELDON
ALLEN	CORMACK	HOYT	NORTH	SKINNER
ALVORD	CRAWFORD	HURD	NOYES	SUTHERLAND
ASTOR	CURRAN	KEATOR	PALMER	E. TAYLOR
BATHE	DALY	KEEGAN	PATTENGILL	J. T. TAYLOR
BERGEN	DOUGLASS	KERN	CICERO C. PECK	TERRY
BERRIGAN	FISH	KING	POOL	THOMSON
BERRY	FLOYD-JONES	LANGNER	PRESCOTT	TOWNSLEY
BOUCK	FOSTER	LOVELAND	PROPER	WADSWORTH
BROOKS	GALVIN	LOWING	ROBERTS	WAKELY
BRUNDAGE	GRIGGS	MAPES	ROWLAND	WEMPLE
BURNS	HALLIDAY	MATTISON	SAWYER	WILBOR
CASE	HAMILTON	MEKEEL	SEARING	WILLERS
CHAPPELL	HAVENS	J. H. MILLER	SEEBACHER	WILLIS
CHASE	I. I. HAYES	MOLLER	SEWELL	WINCH
CLANCY	HOBBIE	MEYENBORG		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the conveyance of certain portions of the Chenango canal," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOYT	MEYENBORG	SEWELL
ALVORD	CROWLEY	HURD	NEILSON	SHELDON
ALVORD	CURRAN	JONES	NELSON	SKINNER
BATHE	DALY	KEEGAN	NORTH	SLITER
BERGEN	DUELL	KELLOGG	NOYES	STRACK
BERRIGAN	FISH	KERN	PALMER	E. TAYLOR
BERRY	FITZGERALD	KING	PARKER	J. T. TAYLOR
BOUCK	FLOYD-JONES	LANGNER	PATTENGILL	TERRY
BROOKS	FLYNN	LOVELAND	PATTERSON	THOMSON
BROWNING	FOSTER	LOWING	PEEK	TOWNSLEY
BRUNDAGE	FRANK	MAPES	POOL	VALENTINE
CASE	HAMILTON	MATTISON	PRESCOTT	WAKELY
CHAPPELL	HAVENS	MCDONOUGH	PROPER	WARING
CHASE	I. I. HAYES	MEAD	PURDY	WEMPLE
CLAPP	J. HAYES	MEKEEL	ROBERTS	WILBOR
CLARK	HEPBURN	J. H. MILLER	ROWLAND	WILLERS
CORMACK	HOBBIE	S. V. R. MILLER	SAWYER	WILLIS
COSAD	HOLBROOK	MOLLER	SEARING	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act releasing the interest of the State in certain lands of which Patrick Kinney died possessed, to John Kinney, James Kinney and Patrick Kinney, his children and heirs-at-law," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 90.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOBBIE	MOLLER	SHEARD
ALLEN	CURRAN	HOLBROOK	MEYENBORG	SHELDON
ALVORD	DALY	HOYT	NORTH	SKINNER
BATHE	DAY	HULME	NOYES	SLITER
BERGEN	DOUGLASS	HURD	PALMER	STRACK
BERRIGAN	FISH	JONES	PARKER	E. TAYLOR
BERRY	FITZGERALD	KEEGAN	PATTENGILL	J. T. TAYLOR
BOUCK	FLOYD-JONES	KELLOGG	PATTERSON	TERRY
BROOKS	FLYNN	KERN	CICERO C. PECK	THOMSON
BRUNDAGE	FOSTER	KING	POOL	TOWNSLEY
CHAPPELL	FRANK	LANGNER	PRESCOTT	WADSWORTH
CHASE	GALVIN	LOVELAND	PROPER	WAKELY
CLANCY	GRADY	LOWING	PURDY	WARING
CLAPP	GRIGGS	MATTISON	ROBERTS	WEMPLE
CLARK	HALLIDAY	MCDONOUGH	ROWLAND	WILBOR
CONVERSE	HAMILTON	MEAD	SAWYER	WILLERS
CORMACK	HAVENS	MEKEEL	SEEBACHER	WILLIS
CRAWFORD	HENRY	S. V. R. MILLER	SEWELL	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the better protection of life and property in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	I. I. HAYES	MOLLER	SHANLEY
ALLEN	CURRAN	HENRY	MEYENBORG	SHELDON
ALVORD	DALY	HOBBIE	NEILSON	SKINNER
BATHE	DAY	HOLBROOK	NORTH	SLITER
BERRY	DOUGLASS	HOYT	NOYES	STRACK
BOUCK	DUELL	HULME	PALMER	E. TAYLOR
BROOKS	FITZGERALD	HURD	PARKER	J. T. TAYLOR
BROWNING	FLOYD-JONES	JONES	PATTERSON	TERRY
BRUNDAGE	FLYNN	KEEGAN	CICERO C. PECK	THOMSON
CASE	FOSTER	KELLOGG	POOL	TOWNSLEY
CHAPPELL	FRANK	LANGNER	PRESCOTT	WAKELY
CHASE	GALVIN	LOVELAND	PURDY	WEMPLE
CLANCY	GILBERT	LOWING	ROBERTS	WILBOR
CLAPP	GRIGGS	MAPES	ROWLAND	WILLERS
CONVERSE	HALLIDAY	MATTISON	SAWYER	WILLIS
CORMACK	HAMILTON	MCDONOUGH	SEARING	WINCH
CRAWFORD	HAVENS	MEKEEL	SEEBACHER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the Pennsylvania and New York Petroleum Transportation Company to use, occupy and enjoy the bed and banks of the Genesee Valley canal for certain purposes," having been announced for a third reading,

On motion of Mr. Roberts, and by unanimous consent, said bill was amended as follows :

Section 7, line 5, after the word "dispose," insert the words "or lease."

Same line, after the word "of," insert the words "or lease."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 87.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	COSAD	HURD	NORTH	SHELDON
ALVORD	CRAWFORD	JONES	NOYES	SKINNER
BAKER	CURRAN	KELLOGG	PALMER	SLITER
BATHE	DAY	KERN	PARKER	STRACK
BEARD	DUELL	KING	PATTENGILL	E. TAYLOR
BERRIGAN	FLOYD-JONES	LANGNER	CICERO C. PECK	J. T. TAYLOR
BERRY	FLYNN	LOVELAND	PEEK	TERRY
BOUCK	FOSTER	LOWING	POOL	THOMSON
BROOKS	GILBERT	MAPES	PROPER	TOWNSLEY
BROWNING	GRADY	MATTISON	PURDY	VALENTINE
BRUNDAGE	GRIGGS	MCDONOUGH	REYNOLDS	WAKELY
CASE	HAMILTON	MEAD	ROBERTS	WARING
CHAPPELL	I. I. HAYES	MEKEEL	ROWLAND	WEMPLE
CLANCY	J. HAYES	MOLLER	SAWYER	WILBOR
CLAPP	HENRY	MEYENBORG	SEARING	WILLIS
CLARK	HOBBIE	NEILSON	SEEBACHER	WINCH
CONVERSE	HOYT	NELSON	SHEARD	WORTH
CORMACK	HULME			

Those who voted in the negative, were

KEEGAN

WILLERS

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Foster, and by unanimous consent, Assembly bill entitled "An act in relation to repaving Hudson avenue, in the city of Albany, N. Y.," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 86.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	J. HAYES	MOLLER	SHANLEY
ALLEN	CORMACK	HENRY	MEYENBORG	SHEARD
ALVORD	COSAD	HOBBIE	NEILSON	SHELDON
BAKER	CRAWFORD	HOLBROOK	NORTH	SKINNER
BATHE	CROWLEY	HOYT	NOYES	SLITER
BEARD	DAY	HULME	PARKER	STRACK
BERGEN	DUELL	HURD	PATTENGILL	E. TAYLOR
BERRY	FLOYD-JONES	JONES	PATTERSON	J. T. TAYLOR
BOUCK	FLYNN	KELLOGG	CICERO C. PECK	TERRY
BROOKS	FOSTER	KING	PEEK	THAIN
BROWNING	FRANK	LANGNER	POOL	THOMSON
BRUNDAGE	GALVIN	LOVELAND	PURDY	VALENTINE
BURNS	GILBERT	LOWING	ROBERTS	WARING
CASE	GRADY	MATTISON	ROWLAND	WILBOR
CHASE	HAMILTON	MEAD	SAWYER	WILLIS
CLANCY	HAVENS	MEKEEL	SEARING	WINCH
CLAPP	I. I. HAYES	S. V. R. MILLER	SEEBACHER	WORTH
CLARK				

Those who voted in the negative, were

CURRAN

PRESCOTT

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the Assembly bill entitled "An act in relation to the city courts of Yonkers," with a message that they have reconsidered the vote upon the final passage of said bill, and as amended passed.

Ordered, That the Clerk deliver said bill to the Governor.

By unanimous consent,

Mr. Allen introduced a bill entitled "An act to amend chapter 75 of the Laws of 1876, entitled 'An act to amend chapter 94 of the Laws of 1875, entitled An act to further amend chapter 680 of the Laws of 1871, entitled An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo;' also to amend chapter 680 of the Laws of 1871, entitled 'An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Bergen introduced a bill entitled "An act to ascertain the citizens who shall be entitled to the right of suffrage at town meetings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ALLEN	FITZGERALD	LOVELAND	PRESCOTT	STRACK
ALVORD	FLOYD-JONES	LOWING	PROPER	SUTHERLAND
ANDREWS	FOSTER	MAPES	PURDY	E. TAYLOR
BAKER	GRADY	MATTISON	REYNOLDS	J. T. TAYLOR
BEARD	HAMILTON	MEKEEL	ROBERTS	TERRY
BROOKS	I. I. HAYES	MOLLER	ROWLAND	THAIN
BROWNING	HENRY	MEYENBORG	SAWYER	THOMSON
CASE	HOBBIE	NEILSON	SEARING	TOWNSLEY
CLANCY	HOLBROOK	NELSON	SEEBACHER	WADSWORTH
CLAPP	HOYT	NORTH	SEWELL	WARING
CLARK	HULME	PALMER	SHANLEY	WEMPLE
CONVERSE	JONES	PATTENGILL	SHEARD	WILBOR
CORMACK	KEEGAN	PATTERSON	SHELDON	WILLIS
CROWLEY	KELLOGG	CICERO C. PECK	SKINNER	WINCH
DALY	KING	PEEK	SLITER	WORTH
FISH	LANGNER	POOL	STORY	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Allen, and by unanimous consent, Assembly bill entitled "An act to amend chapter 103 of the Laws of 1877, entitled 'An act to facilitate the construction of narrow-gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," was referred to the sub-committee of the whole.

The bill entitled "An act to amend chapter 131 of the Laws of 1878, entitled 'An act to annex the village of West Mount Vernon, in the county of Westchester, to the village of Mount Vernon in said county; to confirm the tax sales heretofore held in the said village of West Mount Vernon, and to provide for the division of the said village of Mount Vernon into wards, after the annexation of the said village of Mount Vernon,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 90.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOLAHAN	NEILSON	SHEARD
ALLEN	CROWLEY	HOLBROOK	NELSON	SHELDON
ALVORD	CURRAN	HOYT	NORTH	SKINNER
ANDREWS	DALY	HULME	NOYES	SLITER
BAKER	DOUGLASS	HURD	PALMER	SUTHERLAND
BEARD	FISH	JONES	PARKER	E. TAYLOR
BERGEN	FITZGERALD	KEEGAN	PATTENGILL	J. T. TAYLOR
BERRIGAN	FLOYD-JONES	KELLOGG	PATTERSON	THAIN
BERRY	FLYNN	KING	CICERO C. PECK	TOWNSLEY
BROWNING	FOSTER	LANGNER	PEEK	VALENTINE

BRUNDAGE	GALVIN	LOVELAND	POOL	WADSWORTH
CASE	GILBERT	LOWING	PRESCOTT	WARING
CHASE	HALLIDAY	MATTISON	PURDY	WEMPLE
CLANCY	HAMILTON	MCDONOUGH	ROBERTS	WILBOR
CLAPP	HAVENS	MEKEEL	ROWLAND	WILLERS
CLARK	I. I. HAYES	J. H. MILLER	SAWYER	WILLIS
CONVERSE	HENRY	MOLLER	SEARING	WINCH
CORMACK	HOBBIE	MEYENBORG	SHANLEY	WORTH

For the negative,

SEEBACHER

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Roberts, and at 1 o'clock and 55 minutes, the House took a recess until half-past four p. m.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. Brooks presented a memorial of New York merchants engaged in the dry goods business, asking for an investigation of railroad freights; which was read and referred to the committee on railroads.

A message from the Senate was received and read informing of concurrence in the passage of the resolution entitled as follows:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill No. 230, entitled "An act to amend article 5, of title 1, chapter 16 of part 1 of the Revised Statutes," for amendment.

Ordered, That the Clerk deliver said resolution to the Governor.

The bill entitled "An act supplemental to chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ALLEN	FISH	KELLOGG	PARKER	SKINNER
ALVORD	FITZGERALD	KING	PATTENGILL	STRACK
BAKER	FLOYD-JONES	LANGNER	PATTERSON	SUTHERLAND
BATHE	FOSTER	LOVELAND	CICERO C. PECK	J. T. TAYLOR
BEARD	FRANK	LOWING	PEEK	TERRY
BERRY	GALVIN	MAPES	POOL	THAIN
BOUCK	GRIGGS	MATTISON	PRESCOTT	THOMSON
BROOKS	HALLIDAY	MEKEEL	PURDY	TOWNSLEY
BRUNDAGE	HAVENS	J. H. MILLER	REYNOLDS	VALENTINE
CASE	J. HAYES	S. V. R. MILLER	ROBERTS	WADSWORTH
CONVERSE	HEPBURN	MEYENBORG	ROWLAND	WEMPLE
CORMACK	HOBBIE	NIVEN	SAWYER	WILLERS
COSAD	HOYT	NORTH	SEEBACHRE	WILLIS
CRAWFORD	HULME	NOYES	SHEARD	WINCH
CURRAN	HURD	PALMER	SHELDON	WORTH
DALY	JONES			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Worth, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 205, entitled "An act to establish the right of citizens of this State to carry on their business in all parts thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott in the chair.

The bill entitled "An act to regulate and control the raising and spending of the public moneys in the county of Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 92. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HULME	NORTH	SHEARD
ALLEN	CROWLEY	HURD	NOYES	SHELDON
ALVORD	CURRAN	JONES	PALMER	SKINNER
ANDREWS	FISH	KEEGAN	PATTENGILL	SLITER
BAKER	FITZGERALD	KERN	PATTERSON	STRACK
BATHE	FLOYD-JONES	KING	CICERO C. PECK	SUTHERLAND
BEARD	FOSTER	LANGNER	PEEK	TERRY
BERRY	GALVIN	LOVELAND	POOL	THAIN
BOUCK	GILBERT	LOWING	PRESCOTT	THOMSON
BROOKS	GRAHAM	MATTISON	PURDY	TOWNSLEY
BROWNING	GRIGGS	MEKEEL	REYNOLDS	VALENTINE
BRUNDAGE	HALLIDAY	J. H. MILLER	ROBERTS	WADSWORTH
CASE	HAMILTON	S. V. R. MILLER	ROWLAND	WARING
CHASE	HAVENS	MOLLER	SAWYER	WEMPLE
CLANCY	J. HAYES	MEYENBORG	SEARING	WILLERS
CLAPP	HENRY	NEILSON	SEEBACHER	WILLIS
CLARK	HEPBURN	NELSON	SEWELL	WINCH
CORMACK	HOBBIE	NIVEN	SHANLEY	WORTH
COSAD	HOYT			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to facilitate the making proofs of discharge from State prison upon a trial for second offense," having been announced for a third reading,

Mr. Grady moved to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Alvord moved to recommit said bill to the committee on affairs of cities, with instructions to amend the same as follows

Line 4, printed bill, strike out the word "sufficient," and insert in lieu thereof the words "prima facie."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Kern, from the committee on cities, reported back said bill, amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 15.

Those who voted in the affirmative, were

ABBOTT	FISH	KEEGAN	PARKER	E. TAYLOR
ALLEN	FITZGERALD	KERN	PATTENGILL	J. T. TAYLOR
ALVORD	FLOYD-JONES	KING	PEEK	TERRY
ANDREWS	FLYNN	LOVELAND	POOL	THAIN
BERGEN	FOSTER	LOWING	PRESCOTT	THOMSON
BERRY	GALVIN	MATTISON	PURDY	TOWNSLEY
BOUCK	GRIGGS	MEAD	REYNOLDS	VALENTINE
BROOKS	HALLIDAY	J. H. MILLER	ROBERTS	WADSWORTH
BRUNDAGE	HAVENS	S. V. R. MILLER	ROWLAND	WAKELY
CASE	I. I. HAYES	MOLLER	SEEBACHER	WARING
CHASE	HEPBURN	MEYENBORG	SEWELL	WEMPLE
CLAPP	HOBBIE	NELSON	SHEARD	WHEELER
CLARK	HOLBROOK	NIVEN	SHELDON	WILLERS
COSAD	HOYT	NORTH	SKINNER	WILLIS
CURRAN	HURD	NOYES	STRACK	WINCH
DALY	KEATOR	PALMER	SUTHERLAND	WORTH
DUELL				

Those who voted in the negative, were

BATHE	BURNS	CORMACK	HAMILTON	PATTERSON
BEARD	CLANCY	CRAWFORD	JONES	CICERO C. PECK
BROWNING	CONVERSE	GRADY	MAPES	SEARING

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 833 of the Laws of 1873, entitled 'An act to regulate the fees of coroners,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 76.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOBBIE	NIVEN	SKINNER
ALLEN	CORMACK	HOLBROOK	NORTH	STRACK
ALVORD	CRAWFORD	HOYT	NOYES	SUTHERLAND
ANDREWS	CROWLEY	HURD	PARKER	E. TAYLOR
BAKER	DALY	JONES	PATTENGILL	J. T. TAYLOR
BATHE	DEYOE	KEEGAN	PATTERSON	THAIN
BEARD	DUELL	KERN	CICERO C. PECK	THOMSON
BERGEN	FISH	KING	POOL	TOWNSLEY
BERRY	FLOYD-JONES	LOWING	PRESCOTT	VALENTINE
BOUCK	FOSTER	MATTISON	REYNOLDS	WADSWORTH
BROOKS	GALVIN	MCDONOUGH	ROWLAND	WAKELY
BROWNING	HALLIDAY	MEKEEL	SEARING	WARING
BRUNDAGE	HAVENS	J. H. MILLER	SEEBACHER	WEMPLE
CASE	I. I. HAYES	S. V. R. MILLER	SHEARD	WILLERS
CLAPP	HEPBURN	NEILSON	SHELDON	WILLIS
CLARK				

Those who voted in the negative, were

GRIGGS	WINCH
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A communication was received and read from the Governor in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 25, 1878. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, I

return, for amendment, Assembly bill No. 230, entitled "An act to amend article 5 of title 1, chapter 16 of part first of the Revised Statutes."

L. ROBINSON.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HULME	NOYES	SUTHERLAND
ALLEN	CRAWFORD	HURD	PALMER	E. TAYLOR
ALVORD	CURRAN	JONES	PARKER	J. T. TAYLOR
ANDREWS	DALY	KEATOR	PATTENGILL	TERRY
BAKER	DUELL	KELLOGG	CICERO C. PECK	THAIN
BATHE	FISH	KERN	PEEK	THOMSON
BEARD	FITZGERALD	KING	POOL	TOWNSLEY
BERGEN	FLOYD-JONES	LANGNER	PRESCOTT	VALENTINE
BERRIGAN	FOSTER	MAPES	ROBERTS	WADSWORTH
BERRY	GALVIN	MATTISON	ROWLAND	WAKELY
BOUCK	GRIGGS	MCDONOUGH	SEARING	WARING
BROWNING	HALLIDAY	MEEKEL	SHANLEY	WEMPLE
BRUNDAGE	HAMILTON	S. V. R. MILLER	SHEARD	WILLERS
CHASE	HAVENS	MEYENBORG	SKINNER	WILLIS
CLAPP	I. I. HAYES	NIVEN	SLITER	WINCH
CLARK	HEPBURN	NORTH	STRACK	WORTH
CONVERSE	HOLBROOK			

On motion of Mr. Purdy, and by unanimous consent, said bill was amended as follows :

Section 1, line 1, strike out "169," and insert "103;" and, in line 4, strike out "169," and insert "103."

Section 2, line 1, strike out "170," and insert "104;" and, in line 3, strike out "170," and insert "104."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 90.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	I. I. HAYES	S. V. R. MILLER	SHANLEY
ALLEN	CONVERSE	HENRY	MOLLER	SHEARD
ALVORD	CORMACK	HOLBROOK	MEYENBORG	SHELDON
ANDREWS	COSAD	HULME	NELSON	SKINNER
BAKER	CRAWFORD	HURD	NIVEN	STRACK
BATHE	CURRAN	JONES	NOYES	E. TAYLOR
BEARD	DALY	KEATOR	PALMER	J. T. TAYLOR
BERGEN	FISH	KEEGAN	PARKER	TERRY
BERRIGAN	FITZGERALD	KELLOGG	CICERO C. PECK	THAIN
BERRY	FLOYD-JONES	KERN	PEEK	THOMSON
BOUCK	FLYNN	KING	POOL	TOWNSLEY
BROOKS	FOSTER	LOVELAND	PRESCOTT	VALENTINE
BROWNING	FRANK	MAPES	PURDY	WADSWORTH
BRUNDAGE	GALVIN	MATTISON	ROBERTS	WAKELY
BURNS	GRAHAM	MCDONOUGH	ROWLAND	WARING
CASE	GRIGGS	MEAD	SEARING	WEMPLE
CHASE	HAMILTON	MEKEEL	SEEBACHER	WILLERS
CLAPP	HAVENS	J. H. MILLER	SEWELL	WILLIS

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Speaker presented a communication from the district attorney of New York, in reply to a resolution of the Assembly, relative to the number of indictments in his office remaining untried.

On motion of Mr. Alvord, said communication was referred to the committee on the judiciary, and ordered printed.

Mr. Speaker introduced a bill entitled "An act relating to property and other matters connected with private rights," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Moller moved to take from the table the motion to reconsider the vote by which Assembly bill entitled "An act to prevent accidents on railroads operated by steam power in the State of New York," was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HULME	NORTH	SHEARD
ALLEN	CRAWFORD	HURD	NOYES	SHELDON
ALVORD	CURRAN	JONES	PALMER	SKINNER
ANDREWS	DALY	KEEGAN	PARKER	SLITER
BAKER	DAY	KERN	PATTENGILL	SUTHERLAND
BATHE	FISH	KING	CICERO C. PECK	E. TAYLOR
BEARD	FITZGERALD	LANGNER	PEEK	TERRY
BERGEN	FLOYD-JONES	LOVELAND	POOL	THAIN
BERRIGAN	FLYNN	MAPES	PRESCOTT	THOMSON
BERRY	FOSTER	MATTISON	PROPER	TOWNSLEY
BROOKS	GRAHAM	MEAD	PURDY	VALENTINE
BROWNING	HAMILTON	MEKEEL	REYNOLDS	WADSWORTH
BRUNDAGE	HAVENS	J. H. MILLER	ROBERTS	WARING
CASE	I. I. HAYES	S. V. R. MILLER	ROWLAND	WEMPLE
CHASE	HENRY	MOLLER	SEARING	WILLERS
CLAPP	HOLAHAN	MEYENBORG	SEEBACHER	WILLIS
CLARK	HOLBROOK	NEILSON	SEWELL	WINCH
CORMACK				

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 74.

NOES 5.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLBROOK	NORTH	SUTHERLAND
ALLEN	CORMACK	HOYT	NOYES	E. TAYLOR
ALVORD	COSAD	HULME	PALMER	J. T. TAYLOR
ANDREWS	CRAWFORD	HURD	PARKER	TERRY
BAKER	DEYOE	JONES	PATTENGILL	THOMSON
BATHE	FISH	KEATOR	PEEK	TOWNSLEY
BEARD	FLOYD-JONES	KING	POOL	VALENTINE
BERGEN	FLYNN	LANGNER	PRESCOTT	WADSWORTH
BERRY	GALVIN	LOVELAND	REYNOLDS	WAKELY
BOUCK	GRAHAM	MATTISON	ROWLAND	WARING
BROOKS	GRIGGS	MEAD	SEARING	WEMPLE

CASE	I. I. HAYES	J. H. MILLER	SEWELL	WILLIS
CHASE	HEPBURN	S. V. R. MILLER	SHANLEY	WORTH
CLAPP	HOBIE	MOLLER	SKINNER	SPEAKER
CLARK	HOLAHAN	MEYENBORG	SLITER	

Those who voted in the negative, were

BURNS	CURRAN	NELSON	PATTERSON	SHEARD
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Leave of absence was granted to Mr. Astor until Tuesday next.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to provide for the collection and payment of the assessment for the improvement of a public highway or avenue from Prospect park, in the city of Brooklyn, toward Coney Island, in the county of Kings, known as the Ocean Parkway, laid out and improved pursuant to chapter 861 of the Laws of 1869, as amended by chapter 726 of the Laws of 1872."

"An act to provide means for the equipment and furnishing of the building erected on that portion of the Central park, in the city of New York, east of the old receiving reservoir, under the provisions of chapter 290 of the Laws of 1872 for the purposes of a museum and gallery of art, and for removing thereto and establishing therein the collections of the metropolitan museum of art."

"An act to incorporate the New York and Western Pipe Company."

"An act in relation to the Union Ferry Company of Brooklyn."

"An act in relation to the issue and sale of ferry tickets by the Union Ferry Company of Brooklyn."

"An act reappropriating money for the payment of sums due to contractors for new work upon and extraordinary repairs of the canals."

"An act authorizing the Syracuse, Chenango and New York Railroad Company to use, occupy and enjoy the towing-path of a portion of the Chenango canal."

"An act relating to the board of county canvassers of the city and county of New York."

"An act for the relief of John McCann."

"An act to amend chapter 862 of the Laws of 1867, entitled 'An act to incorporate the New York Real Estate Exchange,' also, chapter 725 of the Laws of 1870, entitled 'An act to incorporate the New York Real Estate Exchange in the city of New York, and to incorporate the New York Real Estate Exchange, and to designate the place of judicial sales of real estate in the city of New York.'"

"An act to open the College of the City of New York to all male persons who shall pass the preliminary examinations for admission therein."

"An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,' passed June 28, 1873.'"

"An act to make the office of attorney and counsel to the corporation in Long Island City elective."

The bill entitled "An act in relation to insurance examinations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOBBIE	MOLLER	STRACK
ALVORD	DAY	HOLBROOK	MEYENBORG	SUTHERLAND
ANDREWS	DEYOE	HOYT	NOYES	E. TAYLOR
ASTOR	DOUGLASS	HULME	PALMER	J. T. TAYLOR
BAKER	DUELL	HURD	POOL	TERRY
BEARD	FISH	JONES	PRESCOTT	THAIN
BERRY	FITZGERALD	KEEGAN	ROBERTS	THOMSON
BROOKS	FLOYD-JONES	KERN	ROWLAND	TOWNSLEY
BROWNING	FLYNN	KING	SEARING	VALENTINE
BURNS	FOSTER	LOVELAND	SEWELL	WADSWORTH
CASE	GALVIN	MAPES	SHANLEY	WARING
CHASE	GRAHAM	MATTISON	SHEARD	WEMPLE
CLAPP	GRIGGS	MEAD	SHELDON	WILLIS
CLARK	HALLIDAY	MEEKEL	SKINNER	WINCH
CONVERSE	HAMILTON	J. H. MILLER	SLITER	WORTH
CORMACK	HEPBURN	S. V. R. MILLER		

For the negative,

NELSON

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the regrading and paving of Grand street, from Union avenue to Bushwick avenue, in the city of Brooklyn, with Belgian pavement," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HURD	NOYES	E. TAYLOR
ALVORD	COSAD	JONES	PALMER	J. T. TAYLOR
ANDREWS	CURRAN	KEEGAN	PARKER	TERRY
ASTOR	DALY	KELLOGG	CICERO C. PECK	THAIN
BAKER	FISH	KING	POOL	THOMSON
BATHE	FLOYD-JONES	LANGNER	PROPER	TOWNSLEY
BEARD	FLYNN	LOVELAND	ROBERTS	VALENTINE
BERGEN	FOSTER	MATTISON	SAWYER	WADSWORTH
BERRY	GALVIN	MCDONOUGH	SEEBACHER	WAKELY
BOUCK	GRIGGS	MEAD	SEWELL	WARING
BROOKS	HAMILTON	MEKEEL	SHANLEY	WEMPLE
BROWNING	HAVENS	J. H. MILLER	SHEARD	WHEELER
BURNS	I. I. HAYES	S. V. R. MILLER	SHELDON	WILBOR
CASE	HOBBIE	MOLLER	SKINNER	WILLIS
CHAPPELL	HOLBROOK	NELSON	STRACK	WINCH
CLAPP	HOYT	NORTH	SUTHERLAND	WORTH
CONVERSE	HULME			

For the negative,

DOUGLASS

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Holahan moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,' passed April 11, 1870," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative, as follows:

AYES 64.

NOES 49.

Those who voted in the affirmative, were

ALLEN	CROWLEY	GRIGGS	LOVELAND	ROBERTS
BAKER	CURRAN	HAMILTON	MAPES	SEARING
BATHE	DALY	HAVENS	MCDONOUGH	SEEBACHER
BERGEN	DAY	I. I. HAYES	MEAD	SHANLEY
BERRIGAN	DOUGLASS	J. HAYES	MEKEEL	SLITER
BOUCK	DUELL	HENRY	MOLLER	STORY
BROOKS	FITZGERALD	HOBBIE	MEYENBORG	STRACK
BROWNING	FLOYD-JONES	HOLAHAN	NELSON	J. T. TAYLOR
BURNS	FLYNN	HULME	NIVEN	THAIN
CLANCY	FOSTER	HURD	PARKER	TOWNSLEY
CORMACK	FRANK	JONES	PATTENGILL	WILLERS
COSAD	GALVIN	KEATOR	PATTERSON	WORTH
CRAWFORD	GRADY	LANGNER	PURDY	

Those who voted in the negative, were

ABBOTT	FISH	KING	PRESCOTT	TERRY
ALVORD	GILBERT	LOWING	REYNOLDS	THOMSON
ANDREWS	GRAHAM	MATTISON	ROWLAND	VALENTINE
BEARD	HALLIDAY	J. H. MILLER	SAWYER	WADSWORTH
BERRY	HEPBURN	NORTH	SEWELL	WAKELY
CASE	HOLBROOK	NOYES	SHEARD	WARING
CHASE	HOYT	PALMER	SHELDON	WHEELER
CLAPP	KEEGAN	CICERO C. PECK	SKINNER	WILLIS
CLARK	KELLOGG	PEEK	SUTHERLAND	WINCH
CONVERSE	KERN	POOL	E. TAYLOR	

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 65.

NOES 46.

Those who voted in the affirmative, were

ALLEN	CROWLEY	GRIGGS	LOVELAND	PURDY
BAKER	CURRAN	HAMILTON	MAPES	ROBERTS
BATHE	DALY	HAVENS	MCDONOUGH	SEARING
BERGEN	DAY	I. I. HAYES	MEAD	SEEBACHER
BERRIGAN	DOUGLASS	J. HAYES	MEKEEL	SHANLEY
BOUCK	DUELL	HENRY	MOLLER	SLITER
BROOKS	FITZGERALD	HOBBIE	MEYENBORG	STORY
BROWNING	FLOYD-JONES	HOLAHAN	NELSON	STRACK
BURNS	FLYNN	HULME	NIVEN	J. T. TAYLOR
CLANCY	FOSTER	HURD	PARKER	THAIN
CORMACK	FRANK	JONES	PATTENGILL	TOWNSLEY
COSAD	GALVIN	KEATOR	PATTERSON	WILLERS
CRAWFORD	GRADY	LANGNER	PROPER	WORTH

Those who voted in the negative, were

ABBOTT	GILBERT	LOWING	REYNOLDS	TERRY
ALVORD	GRAHAM	MATTISON	ROWLAND	THOMSON
ANDREWS	HALLIDAY	J. H. MILLER	SAWYER	VALENTINE
BERRY	HEPBURN	NORTH	SEWELL	WADSWORTH
CASE	HOLBROOK	NOYES	SHEARD	WAKELY
CHASE	HOYT	PALMER	SHELDON	WARING
CLAPP	KEEGAN	PEEK	SKINNER	WHEELER
CLARK	KERN	POOL	SUTHERLAND	WILLIS
CONVERSE	KING	PRESCOTT	E. TAYLOR	WINCH
FISH				

Mr. Skinner moved to recommit said bill to the committee on internal affairs, with instructions to amend the same by striking out line 9, in section 1, and all of line 10 down to the word "remain."

Also, by striking out all of the same section, after the word "State," in line 11, and said bill to retain its place on the order of third reading of bills.

Debate arising thereon,

Mr. Holahan moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Skinner, and it was determined in the negative, as follows :

AYES 46.

NOES 65.

Those who voted in the affirmative, were

ABBOTT	GILBERT	LOWING	REYNOLDS	TERRY
ALVORD	GRAHAM	MATTISON	ROWLAND	THOMSON
ANDREWS	HALLIDAY	J. H. MILLER	SAWYER	VALENTINE
BERRY	HEPBURN	NORTH	SEWELL	WADSWORTH
CASE	HOLBROOK	NOYES	SHEARD	WAKELY
CHASE	HOYT	PALMER	SHELDON	WARING
CLAPP	KEEGAN	PEEK	SKINNER	WHEELER
CLARK	KERN	POOL	SUTHERLAND	WILLIS
CONVERSE	KING	PRESCOTT	E. TAYLOR	WINCH
FISH				

Those who voted in the negative, were

ALLEN	CROWLEY	GRIGGS	LOVELAND	PROPER
BAKER	CURRAN	HAMILTON	MAPES	PURDY
BATHE	DALY	HAVENS	MCDONOUGH	ROBERTS
BERGEN	DAY	I. I. HAYES	MEAD	SEARING
BERRIGAN	DOUGLASS	J. HAYES	MEKEEL	SEEBACHER
BOUCK	DUELL	HENRY	S. V. R. MILLER	SHANLEY
BROOKS	FITZGERALD	HOBBIE	MOLLER	SLITER
BROWNING	FLOYD-JONES	HOLAHAN	MEYENBORG	STORY
BURNS	FLYNN	HULME	NELSON	STRACK
CLANCY	FOSTER	HURD	NIVEN	J. T. TAYLOR
CORMACK	FRANK	JONES	PARKER	THAIN
COSAD	GALVIN	KEATOR	PATTENGILL	TOWNSLEY
CRAWFORD	GRADY	LANGNER	PATTERSON	WORTH

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 66.

NOES 51.

Those who voted in the affirmative, were

ALLEN	CROWLEY	GRIGGS	LOVELAND	PURDY
BAKER	CURRAN	HAMILTON	MAPES	ROBERTS
BATHE	DALY	HAVENS	MCDONOUGH	SEARING
BEARD	DAY	I. I. HAYES	MEAD	SEEBACHER
BERGEN	DOUGLASS	J. HAYES	MEKEEL	SHANLEY
BERRIGAN	DUELL	HENRY	S. V. R. MILLER	SLITER
BOUCK	FITZGERALD	HOBBIE	MOLLER	STORY
BROOKS	FLOYD-JONES	HOLAHAN	MEYENBORG	STRACK
BROWNING	FLYNN	HULME	NELSON	J. T. TAYLOR
BURNS	FOSTER	HURD	NIVEN	THAIN
CLANCY	FRANK	JONES	PATTENGILL	TOWNSLEY
CORMACK	GALVIN	KEATOR	PATTERSON	WILLERS
COSAD	GRADY	LANGNER	PROPER	WORTH
CRAWFORD				

Those who voted in the negative, were

ABBOTT	GRAHAM	MATTISON	PRESCOTT	TERRY
ALVORD	HALLIDAY	J. H. MILLER	REYNOLDS	THOMSON
ANDREWS	HEPBURN	NEILSON	ROWLAND	VALENTINE
BERRY	HOLBROOK	NORTH	SAWYER	WADSWORTH
CASE	HOYT	NOYES	SEWELL	WAKELY
CHASE	KEEGAN	PALMER	SHEARD	WARING
CLAPP	KELLOGG	PARKER	SHELDON	WHEELER
CLARK	KERN	CICERO C. PECK	SKINNER	WILLIS
CONVERSE	KING	PEEK	SUTHERLAND	WINCH
FISH	LOWING	POOL	E. TAYLOR	SPEAKER
GILBERT				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

When the name of Mr. Beard was called, he asked to be and was not excused from voting.

Mr. Berry presented a report from the sub-committee of the whole.

Ordered, That said report be laid upon the table and printed.

(See Doc. No. 121.)

The Senate sent for concurrence the following entitled bills:

"An act to authorize corporations organized under the Laws of this State to reduce their capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Homœopathic Medical College of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

"An act further to amend chapter 564 of the Laws of 1872, entitled 'An act to amend the charter of the village of Carthage, Jefferson county,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to legalize the proceedings of electors of the town of Hermon, St. Lawrence county, in annual town meeting assembled on the 12th day of February, 1878, in relation to the raising of money for the improvement of roads," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hepburn, and by unanimous consent, said bill was ordered to a third reading.

"An act relating to powers of attorney by married women," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to regulate the use of certain docks in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act in relation to the non-resident highway tax in the town of Thurman, in the county of Warren," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 416 of the Laws of 1877, entitled 'An act relating to courts, officers of justice and civil proceedings,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize the State and county taxes in the city of Cohoes, Albany county, for the years 1870, 1871, 1872, 1873, 1874, 1875, 1876 and 1877, and to provide for the collection thereof, and to authorize the sale of lands in the city of Cohoes for unpaid State and county taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned the following entitled bills, with a message that they had concurred in the passage of the same :

"An act to amend chapter 518 of the Laws of 1867, entitled 'An act to amend an act entitled An act to incorporate the village of White Plains,' and chapter 409 of the Laws of 1873, entitled 'An act further to amend the charter of the village of White Plains, in the county of Westchester.'"

"An act to extend the time for the collection of taxes in the county of Rockland."

"An act to amend section 1 of chapter 347 of the Laws of 1870, entitled 'An act to incorporate the fire department of the village of Canton.'"

"An act conferring additional powers upon the board of trustees of the village of Havana, county of Schuyler."

"An act to amend chapter 447 of the Laws of 1877, entitled 'An act to establish the boundaries of school district No. 5 of the town of Flushing, and to provide for the collection of school taxes therein, and conferring additional powers and duties upon the board of education of said district.'"

"An act to amend section 1, chapter 316, of the Laws of 1876, entitled 'An act relative to judgments entered upon forfeited recognizances in the city and county of New York.'"

"An act to amend chapter 786 of the Laws of 1867, entitled 'An act to incorporate the village of Lima, Livingston county.'"

"An act to amend chapter 184 of the Laws of 1839, entitled 'An act in relation to trusts for the benefit of the meetings of the religious society of Friends,' passed April 17, 1839."

"An act authorizing the town of New Lots, in the county of Kings, to issue bonds to the amount of ten thousand dollars, to refund or pay a like amount of bonds issued by said town for the erection of a town house in pursuance of chapter 281 of the Laws of 1872."

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Alvord, and at 6 o'clock and 50 minutes, the House adjourned.

FRIDAY, APRIL 26, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Selkirk.

The journal of yesterday was read and approved.

Mr. Brundage stated that when the excise bill was under consideration last evening he was absent from the House; had he been here, he would have voted against said bill.

Mr. Andrews, from the committee on militia, to which was recommit-
ted the bill introduced by Mr. Speaker, entitled "An act to amend
chapter 80 of the Laws of 1870, entitled 'An act to provide for the
enrollment of the militia, for the organization of the national guard of
the State of New York, and for the public defense, and entitled the

Military Code," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill replaced on order of third reading of bills.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act to extend the time for the collection of taxes in the town of Cherry Valley, in the county of Otsego."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Graham moved that all orders of business be laid upon the table, for the purpose of taking up reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Peek moved that the committee of the whole be discharged from further consideration of Assembly bill entitled "An act authorizing the appraisal and sale of a certain lot of land belonging to the State, lying and being in the village of Johnstown, in the county of Fulton," and that said bill do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	I. I. HAYES	MOOERS	SAWYER
ALLEN	CONVERSE	HEPBURN	MEYENBORG	SEEBACHER
ALVORD	CORMACK	HOBBIE	NELSON	SHELDON
ANDREWS	CRAWFORD	HOLBROOK	NORTH	SKINNER
BAKER	CURRAN	HURD	NOYES	SLITER
BEARD	DUELL	JONES	PALMER	SUTHERLAND
BERGEN	FISH	KEEGAN	PARKER	E. TAYLOR
BERRY	FITZGERALD	KERN	PATTENGILL	TERRY
BOUCK	FLOYD-JONES	LANGNER	CICERO C. PECK	THOMSON
BROOKS	FLYNN	LOVELAND	DEWITT C. PECK	TOWNSLEY
BROWNING	FOSTER	LOWING	PEEK	WARING
BRUNDAGE	GALVIN	MATTISON	POOL	WEMPLE
BURNS	GILBERT	MEAD	PROPER	WILBOR
CASE	GRAHAM	MEKEEL	REYNOLDS	WILLERS
CHASE	GRIGGS	J. H. MILLER	ROBERTS	WILLIS
CLANCY	HALLIDAY	S. V. R. MILLER	ROWLAND	WINCH
CLAPP	HAMILTON	MOLLER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. J. H. Miller moved that Assembly bill No. 496, entitled "An act to amend chapter 283 of the Laws of 1871, entitled 'An act to amend an act entitled An act to amend chapter 907 of the Laws of 1869, entitled An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Flynn moved that Assembly bill No. 278, entitled "An act to further amend the act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," be recommitted to the committee on general laws, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Langner moved that Assembly bill No. 369, G. O. 414, entitled "An act to authorize the city of Buffalo to raise money to aid in the construction of a soldiers' and sailors' monument," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The privileges of the floor were granted to Hon. D. W. Judd.

Mr. Prescott moved that Assembly bill No. 644, entitled "An act relating to railroads conducted by receivers," be recommitted to the committee on railroads, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced, pursuant to ninth joint rule, the order of business, third reading of bills.

The bill entitled "An act to empower the trustees of the village of Horseheads to build a dam across the Chemung canal, at any place they may select south of the junction of the Chemung canal feeder, within the limits of the corporation of the village of Horseheads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HEPBURN	MEYENBORG	SHELDON
ALLEN	CRAWFORD	HOBBIE	NEILSON	SKINNER
ALVORD	CROWLEY	HOLBROOK	NOYES	SLITER
BAKER	CURRAN	HOYT	PALMER	STORY
BEARD	DALY	HURD	PARKER	STRACK
BERRIGAN	DUELL	JONES	CICERO C. PECK	SUTHERLAND
BERRY	FISH	KERN	DEWITT C. PECK	TERRY
BOUCK	FLYNN	KING	PRESCOTT	THAIN
BROWNING	FOSTER	LANGNER	REYNOLDS	THOMSON
BRUNDAGE	GALVIN	LOVELAND	ROBERTS	TOWNSLEY
BURNS	GRAHAM	LOWING	ROWLAND	VALENTINE
CASE	GRIGGS	MATTISON	SAWYER	WADSWORTH
CHASE	HALLIDAY	MEAD	SEARING	WARING
CLAPP	HAMILTON	MEKEEL	SEEBACHER	WEMPLE
CLARK	HAVENS	J. H. MILLER	SEWELL	WILBOR
CONVERSE	I. I. HAYES	MOOERS	SHEARD	WILLIS
CORMACK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish in the chair.

The bill entitled "An act to provide compensation for referees in certain cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CLAPP	GRAHAM	MOLLER	SHELDON
ALLEN	CLARK	I. I. HAYES	MOOERS	SKINNER
ALVORD	CONVERSE	HEPBURN	MEYENBORG	SLITER
BAKER	CORMACK	HOBBIE	NORTH	STORY
BEARD	CRAWFORD	HOLAHAN	NOYES	SUTHERLAND
BERGEN	CROWLEY	HOLBROOK	PALMER	TERRY
BERRIGAN	CURRAN	HOYT	PATTENGILL	THAIN
BERRY	DUELL	HURD	DEWITT C. PECK	THOMSON
BOUCK	FISH	JONES	PEEK	TOWNSLEY
BROOKS	FITZGERALD	KERN	POOL	VALENTINE
BROWNING	FLOYD-JONES	KING	REYNOLDS	WADSWORTH
BRUNDAGE	FLYNN	LANGNER	ROWLAND	WAKELY
BURNS	FOSTER	MAPES	SEARING	WARING
CASE	FRANK	MEKEEL	SEEBACHER	WEMPLE
CHASE	GALVIN	J. H. MILLER	SHANLEY	WILLIS
CLANCY	GILBERT	S. V. R. MILLER		

Those who voted in the negative, were

PRESCOTT ROBERTS

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 30 of the Laws of 1876, entitled 'An act to amend chapter 520 of the Laws of 1870, entitled An act to establish and maintain a police force in the city of Troy, and to increase the powers and duties of the police commissioners of said city,' passed February 28, 1876," having been announced for a third reading,

Mr. Burns moved that said bill be referred to the committee on affairs of cities, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows :

AYES 37.

NOES 44.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	FRANK	LANGNER	SEEBACHER
BAKER	CROWLEY	GALVIN	LOVELAND	SHANLEY
BEARD	CURRAN	HALLIDAY	MAPES	SLITER
BERGEN	DALY	HAMILTON	MEYENBORG	THOMSON
BERRIGAN	FITZGERALD	I. I. HAYES	NELSON	TOWNSLEY
BROOKS	FLOYD-JONES	HENRY	PROPER	WEMPLE
BURNS	FLYNN	HOLAHAN	ROBERTS	WILLERS
COSAD	FOSTER			

Those who voted in the negative, were

ABBOTT	FISH	MATTISON	PRESCOTT	VALENTINE
ALVORD	GILBERT	MEKEEL	REYNOLDS	WADSWORTH
BERRY	HEPBURN	J. H. MILLER	SEWELL	WARING
BRUNDAGE	HOBBIE	S. V. R. MILLER	SHEARD	WHEELER
CASE	HULME	MOOERS	SHELDON	WILBOR
CHASE	HURD	NOYES	SKINNER	WILLIS
CLAPP	JONES	PARKER	STORY	WINCH
CLARK	KERN	DEWITT C. PECK	SUTHERLAND	WORTH
DUELL	LOWING	PEEK	TERRY	

Mr. Terry moved to lay said bill on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The privileges of the floor were granted to Hon. C. P. Veeder and Hon. Edgar Shannon.

The Senate bill entitled "An act to provide for more completely equipping the National Guard of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 69.

NOES 19.

Those who voted in the affirmative, were

ABBOTT	FLOYD-JONES	KEEGAN	PATTENGILL	STRACK
ALLEN	FLYNN	KERN	CICERO C. PECK	J. T. TAYLOR
ALVORD	GALVIN	LOVELAND	DEWITT C. PECK	TERRY
BAKER	GILBERT	MAPES	PEEK	THAIN
BERGEN	GRAHAM	MEAD	POOL	THOMSON
BROOKS	HALLIDAY	MEKEEL	PRESCOTT	WADSWORTH
BROWNING	HAMILTON	S. V. R. MILLER	SAWYER	WAKELY
CHASE	I. I. HAYES	MOLLER	SEEBACHER	WARING
CLAPP	HENRY	MOOERS	SEWELL	WEMPLE
CORMACK	HOBBIE	MEYENBORG	SHANLEY	WHEELER
DALY	HOLAHAN	NEILSON	SHEARD	WILBOR
DUELL	HOYT	NORTH	SHELDON	WILLIS
FISH	HURD	NOYES	SKINNER	WORTH
FITZGERALD	JONES	PARKER	STORY	

Those who voted in the negative, were

BEARD	CRAWFORD	HOLBROOK	NELSON	TOWNSLEY
BRUNDAGE	CURRAN	LOWING	REYNOLDS	VALENTINE
CLARK	GRIGGS	MATTISON	ROBERTS	WILLERS
COSAD	HEPBURN	J. H. MILLER	SUTHERLAND	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

When the name of Mr. Allen was called he asked to be, and was not, excused from voting.

Mr. Prescott, from the committee on railroads, presented a report in relation to the coal combination; which was laid upon the table and ordered printed; and

Mr. Moller, from the committee on railroads, presented a minority report in relation to the coal combination; which was laid upon the table and ordered printed.

(See Doc No. 128.)

Mr. Halliday in the chair.

The bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,' so far as the same relates to the county of Oswego," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 78.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HENRY	J. H. MILLER	SEEBACHER
ALLEN	CRAWFORD	HEPBURN	S. V. R. MILLER	SEWELL
ALVORD	CURRAN	HOBBIE	MOLLER	SHEARD
BAKER	DALY	HOLAHAN	NELSON	SHELDON
BEARD	DUELL	HOLBROOK	NELSON	STORY

BERGEN	FISH	HOYT	NORTH	J. T. TAYLOR
BERRY	FITZGERALD	HURD	PARKER	THOMSON
BOUCK	FLOYD-JONES	JONES	CICERO C. PECK	VALENTINE
BROOKS	GALVIN	KEEGAN	DEWITT C. PECK	WAKELY
BROWNING	GILBERT	KERN	POOL	WEMPLE
BRUNDAGE	GRAHAM	KING	PRESCOTT	WHEELER
CASE	GRIGGS	LANGNER	REYNOLDS	WILBOR
CHAPPELL	HALLIDAY	LOVELAND	ROBERTS	WILLIS
CHASE	HAMILTON	LOWING	ROWLAND	WINCH
CLAPP	HAVENS	MATTISON	SEARING	WORTH
CLARK	I. I. HAYES	MEKEEL		

Those who voted in the negative, were

MAPES SKINNER

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the collection and payment of the assessment for the improvement of a public highway or avenue from Prospect Park in the city of Brooklyn toward Coney Island, in the county of Kings, known as the Ocean parkway, laid out and improved pursuant to chapter 861 of the Laws of 1869, as amended by chapter 726 of the Laws of 1872," having been announced for a third reading,

Mr. Bergen moved to lay said bill on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, as follows:

AYES 60. NOES 28.

Those who voted in the affirmative, were

ALLEN	COSAD	HURD	MOOERS	SAWYER
ALVORD	CURRAN	JONES	NEILSON	SEARING
BAKER	DALY	KERN	NELSON	SEEBACHER
BATHE	FISH	KING	PALMER	SEWELL
BEARD	FITZGERALD	LOVELAND	PARKER	SHELDON
BERGEN	FLOYD-JONES	LOWING	PATTENGILL	J. T. TAYLOR
BOUCK	GRIGGS	MAPES	DEWITT C. PECK	TOWNSLEY
BROOKS	HALLIDAY	MATTISON	PEEK	WADSWORTH
BROWNING	HAMILTON	MEAD	POOL	WAKELY
CASE	I. I. HAYES	MEKEEL	PRESCOTT	WHEELER
CHASE	HOBBIE	J. H. MILLER	PROPER	WILBOR
CORMACK	HOYT	S. V. R. MILLER	ROBERTS	WILLERS

Those who voted in the negative, were

ABBOTT	FLYNN	HOLAHAN	SHANLEY	THOMSON
BERRY	FRANK	HOLBROOK	SHEARD	VALENTINE
CLANCY	GALVIN	HULME	SKINNER	WARING
CLARK	GILBERT	LANGNER	SUTHERLAND	WILLIS
CROWLEY	HENRY	MEYENBORG	TERRY	WORTH
DOUGLASS	HEPBURN	REYNOLDS		

When the name of Mr. Duell was called, he stated that he was paired with Mr. Kellogg.

Mr. Purdy offered, for the consideration of the House, a privileged resolution in the words following:

Resolved, That when this House adjourns to-day it adjourn to meet on Monday evening next at half-past seven.

Mr. Hobbie moved to strike out the words "half-past seven," and insert in lieu thereof the word "eight."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Hobbie, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Wheeler stated that he wished to have his name taken from the majority report of the committee on railroads relative to the coal combination.

Mr. Brooks moved that the order of business third reading of bills be laid upon the table, for the purpose of taking up order of business, resolutions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The bill entitled "An act to provide means for the equipment and furnishing of the building erected on that portion of the Central Park, in the city of New York, east of the old receiving reservoir, under the provisions of chapter 290 of the Laws of 1871, for the purposes of a museum and gallery of art, and for removing thereto and establishing therein the collections of the metropolitan museum of art," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	I. I. HAYES	NELSON	SLITER
ALLEN	CURRAN	HEPBURN	NORTH	STORY
ALVORD	DALY	HOBBIE	NOYES	STRACK
BAKER	DOUGLASS	HOLAHAN	PALMER	SUTHERLAND
BERGEN	DUELL	HOLBROOK	PARKER	J. T. TAYLOR
BERRIGAN	FISH	HOYT	PEEK	TERRY
BERRY	FITZGERALD	HULME	POOL	THAIN
BOUCK	FLOYD-JONES	HURD	PRESCOTT	THOMSON
BROWNING	FLYNN	LOVELAND	REYNOLDS	VALENTINE
BRUNDAGE	FOSTER	LOWING	ROBERTS	WADSWORTH
CASE	FRANK	MAPES	ROWLAND	WAKELY
CHASE	GALVIN	MATTISON	SAWYER	WARING
CLANCY	GILBERT	MEAD	SEARING	WILBOR
CLAPP	GRADY	MEKEEL	SHANLEY	WILLEES
CLARK	GRIGGS	J. H. MILLER	SHEARD	WILLIS
CORMACK	HALLIDAY	S. V. R. MILLER	SHELDON	WINCH
COSAD	HAMILTON	MEYENBORG	SKINNER	WORTH
CRAWFORD	HAVENS			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the New York and Western Pipe Company," having been announced for a third reading,

On motion of Mr. I. I. Hayes, and by unanimous consent, said bill was amended as follows:

Strike out section 9, and change section 10 so as to read "section 9."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 67.

NOES 25.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HEPBURN	MOOERS	STORY
ALLEN	DALY	HOBBIE	NORTH	STRACK
BAKER	DOUGLASS	HOLAHAN	NOYES	TERRY
BATHE	DUELL	HOYT	PARKER	THOMSON
BERGEN	FISH	HULME	POOL	TOWNSLEY
BERRY	FITZGERALD	HURD	PRESCOTT	VALENTINE
BROOKS	FLOYD-JONES	KERN	REYNOLDS	WADSWORTH
BROWNING	FOSTER	KING	ROBERTS	WAKELY
BURNS	GRADY	LANGNER	ROWLAND	WARING
CASE	GRAHAM	LOVELAND	SAWYER	WHEELER
CLANCY	GRIGGS	MATTISON	SEARING	WILBOR
CLAPP	HALLIDAY	J. H. MILLER	SEWELL	WINCH
CORMACK	HAMILTON	S. V. R. MILLER	SKINNER	WORTH
CROWLEY	I. I. HAYES			

Those who voted in the negative, were

ALVORD	GALVIN	MAPES	MEYENBORG	SUTHERLAND
BOUCK	HOLBROOK	MCDONOUGH	CICERO C. PECK	J. T. TAYLOR
BRUNDAGE	JONES	MEAD	PEEK	THAIN
CLARK	KEEGAN	MEKEEL	SHANLEY	WILLERS
CRAWFORD	LOWING	MOLLER	SHELDON	WILLIS

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act in relation to the Union Ferry Company of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 70.

NOES 16.

Those who voted in the affirmative, were

BAKER	FISH	HURD	NORTH	SLITER
BEARD	FLOYD-JONES	JONES	NOYES	STORY
BERGEN	FLYNN	KEEGAN	PALMER	STRACK
BERRY	FOSTER	LANGNER	CICERO C. PECK	SUTHERLAND
BOUCK	GRADY	LOVELAND	PRESCOTT	TERRY
BROWNING	HALLIDAY	LOWING	PROPER	THOMSON
CASE	HAMILTON	MAPES	REYNOLDS	TOWNSLEY
CLANCY	HAVENS	MATTISON	ROBERTS	VALENTINE
CORMACK	I. I. HAYES	MCDONOUGH	ROWLAND	WAKELY
CRAWFORD	HENRY	J. H. MILLER	SAWYER	WEMPLE
CROWLEY	HEPBURN	MOLLER	SEARING	WHEELER
CURRAN	HOBBIE	MOOERS	SEEBACHER	WILLERS
DALY	HOLAHAN	MEYENBORG	SEWELL	WINCH
DOUGLASS	HOYT	NELSON	SHANLEY	WORTH

Those who voted for the negative, were

ALVORD	GRAHAM	MEKEEL	PEEK	WARING
BATHE	HOLBROOK	S. V. R. MILLER	SKINNER	WILBOR
BROOKS	KING	DEWITT C. PECK	THAIN	WILLIS
COSAD				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence a resolution in the words following :

Resolved (if the Assembly concur), That a respectful message be sent to His Excellency the Governor requesting the return, for amendment,

of Senate bill No. 209, entitled "An act to repeal a part of an act entitled 'An act to repeal certain acts and parts of acts.'"

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sheldon offered, for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor, that Assembly bill No. 120, entitled "An act to further amend chapter 518 of the Laws of 1864, entitled 'An act to protect butter and cheese manufacturers,'" be returned for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," with a message that they had agreed to the report of the committee of conference on said bill, in the words following:

To the Legislature:

Your committee of conference, to which was referred the matters of difference between the two Houses upon Assembly bill, entitled "An act making certain appropriations for certain expenses of government, and supplying deficiencies in former appropriations," beg leave respectfully to report that they have met, and have duly considered such matters and differences, and have agreed to recommend that the Assembly do concur in the following amendments to the bill, as proposed and adopted in the Senate (reference in all cases being made to the engrossed bill), viz.:

Page 1, line 23, strike out the word "made," and insert the word "rendered."

Page 2, line 15, strike out the word "four," and insert the word "five."

Page 2, strike out from line 28 to line 36, both inclusive, the following:

"For the commissioners to revise the statutes, appointed under chapter thirty-three of the Laws of eighteen hundred and seventy, for the general expenses of the commission between the thirtieth day of September, eighteen hundred and seventy-seven, and the first day of May, eighteen hundred and seventy-eight, five hundred dollars, to be expended or applied to the reimbursement of sums expended for that purpose, under the directions of the commissioners."

Page 3, line 13, strike out the word "boxes," and insert the word "cases," and after the word "for," insert the words "the preservation of."

Same page, line 35, strike out the words "March fourth," and insert the words "January second."

Page 4, insert, after line 17, the following:

"For completing maps and locating monuments for pier and bulkhead lines on the Hudson river, from the State dam at Troy to the city of Hudson, the sum of six hundred dollars."

Same page, after the word "district," in line 28, insert the following: "for the law library of the sixth judicial district, at Delhi, Delaware county, the sum of one thousand dollars, to be paid on bills therefor, certified by the justice of said district residing at Delhi."

Same page, line 29, strike out the word "two," and insert the word "one."

Same page, line 32, strike out the word "three," and insert the word "two."

Same page, after the word "Binghamton," in line 35, insert the following: "for the law library of the seventh judicial district, at Rochester, the sum of one thousand dollars, to be paid on bills therefor, certified by the presiding justice of said district."

Page 5, insert, after line 2, the following:

"For the expense of preparing the present court room of the Court of Appeals for a library, and for preparing the present Senate chamber for the use of said court as a court room, and the ante-room and library room of the Senate chamber as a consultation room for said court, the sum of one thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the judges of said court.

"For the trustees of the new State hall, the sum of one thousand dollars, or so much thereof as may be necessary, for fitting and furnishing a suitable office, in the present capitol building, for such State officer, whose office is now located in the new State hall, as, in the opinion of said trustees, can properly be temporarily transferred thereto, and for the expense attending such removal.

"The said trustees shall, upon such removal and transfer, file with the Secretary of State a certificate designating such apartment, so fitted and furnished, as the office of the State officer for whom the same is intended, and such State officer shall thereupon occupy the same for the purpose of his office, and the same shall be his office for all purposes until otherwise provided by law."

Same page, after the last preceding item, insert the following:

"For the Secretary of State, for arranging, binding and removing the blanks and original returns of the enumerators of the census of eighteen hundred and seventy-five, the sum of one thousand two hundred dollars, or so much thereof as may be necessary; the binding to be uniform with that of the census of eighteen hundred and sixty-five, and to be deposited, when completed, in the State library."

Same page, after line 18, insert the following:

"For Abner L. Roberts, as a gratuity, in full for all claims for personal injuries received by him, while in the discharge of his duty in eighteen hundred and seventy-four as a keeper in Clinton prison, from an assault upon him by a convict of said prison, with a deadly weapon, the sum of one thousand dollars."

Same page, after the word "distributed," in line 29, insert the word "one;" and after the word "to" strike out the words "the various," and insert the words "each of the."

Page 6, after the word "distributed," in line 1, insert the word "one;" and after the word "to," strike out the words "the various," and insert the words "each of the."

Same page, after line 2, insert the following:

"For the expenses of the committee on commerce and navigation of the Senate, and of its clerk, in the investigation of the Union Ferry company, pursuant to resolution of the Senate, and for the services of a stenographer, the sum of one hundred and sixty-six dollars and ten cents.

"For Frank McKinnon, for services as clerk of the Senate committee on miscellaneous corporations, nine hundred dollars, or so much thereof as

may be necessary, to pay for such services at the rate of seven dollars per day for the present session, to be paid in the same manner as other clerks to Senate committees."

Same page, after line 22, insert the following :

"For deficiency in appropriations for repairs, cleaning, gas, transportation of books, and other necessary expenses of the State Library, four hundred dollars."

Page 9, line 20, strike out the word "three," and insert the word "two."

Page 10, lines 21 and 22, strike out the words "six hundred."

Same page, line 25, strike out the words "one thousand," and insert the words "five hundred," and in line 26, after the word "dollars," add the word "each."

Same page, after line 26, insert the following :

"For the purchase of a coat of arms of the State of New York, with an appropriate frame, to be placed in the Washington mansion, at Mount Vernon, Virginia, one hundred and fifty dollars, to be expended under the direction of the president of the Senate of this State."

Page 11, line 32, after the word "thousand," insert the words "two hundred and fifty."

Page 12, after line 9, insert the following :

"For the clerk of the Senate for preparing an index to the journal and proceedings of the Senate, in the trial of the charges against John F. Smyth, Superintendent of the Insurance Department, and distributing the same, pursuant to resolution of the Senate adopted March twenty-four, eighteen hundred and seventy-eight, the sum of five hundred dollars."

Page 13, line 5, strike out the words "to reimburse it for all," and insert the words "as an equitable reimbursement for certain."

Page 14, line 4, strike out the word "and."

Same page, line 8, after the word "necessary," insert the following :
"and for the payment to the commandant of Battery H. for rations furnished to his command at encampment ordered at general headquarters, one hundred and ninety-one dollars and thirty-three cents."

Same page, after line 10, insert the following :

"For the Adjutant-General, to be apportioned equally among the companies of the fifty-fourth regiment, national guard, in repayment of advances made by them for lockers, gun racks, and other fixtures in the State Armory at Rochester, three thousand dollars; and for payment to the separate troop of cavalry, Capt. Miller, twelfth brigade, national guard, for moneys paid by it in the purchase of its equipment, three thousand dollars."

Same page, line 36, strike out the word "five," and insert the word "three."

Page 15, lines 6 and 7, strike out the words "for iron fence and gates on water front, twelve thousand dollars."

Same page, after line 34, insert the following :

"For the asylum for insane convicts at Auburn, for completing and furnishing lower ward of new wing; for repairing, painting and refurnishing second ward, for ceiling third ward, for repairing, painting and furnishing center building, for alterations to front entrance, for rebuilding green-house, for washing machine, for steam pump and connections, for covering steam pipes, for airing court for female patients, and for

library books, the sum of six thousand two hundred and twenty-five dollars."

Page 16, line 16, strike out the word "thirty" and insert the word "fifteen."

Same page, line 20, strike out the words "two thousand dollars."

In lines 21 and 22, strike out the words "four thousand dollars."

In lines 22 and 23, strike out the words "three thousand dollars."

In lines 23 and 24, strike out the words "five hundred dollars."

In line 25, strike out the words "one thousand five hundred dollars."

In lines 26 and 27, strike out the words "one thousand dollars."

In line 29, strike out the words "three thousand dollars."

In lines 30 and 31, strike out the words "one thousand five hundred dollars."

In line 32, strike out the words "one thousand five hundred dollars."

In lines 33 and 34, strike out the words "two hundred and fifty dollars."

In line 35, strike out the word "one" and insert the word "nineteen;" and in line 36, after the word "thousand," insert the words "two hundred and fifty."

Page 17, in line 3, strike out the words "forty-five thousand dollars."

In lines 4 and 5, strike out the words "nine thousand five hundred dollars."

In line 7, strike out the words "twelve thousand dollars."

In lines 8 and 9, strike out the words "four thousand five hundred dollars."

In line 11, strike out the words "five thousand dollars."

In line 12 and 13, strike out the words "two thousand dollars."

In line 15, strike out the words "two thousand dollars."

In line 16, strike out the words "one thousand dollars."

In line 17, strike out the words "four thousand dollars."

In line 20, strike out the word "forty," and insert the words "eighty-five."

Same page, in lines 23, 24 and 25, strike out the words "authorized under chapter seven hundred and sixty of the Laws of eighteen hundred and seventy-three."

Same page, lines 34 and 35, strike out the words "four thousand one hundred dollars."

Page 18, line 2, strike out the words "four thousand dollars."

In line 3, strike out the words "one thousand dollars."

In lines 5 and 6, strike out the words "two thousand six hundred dollars."

In lines 8 and 9, strike out the words "three thousand five hundred dollars."

In lines 11 and 12, strike out the words "one thousand dollars."

In line 14, strike out the words "two thousand dollars."

In line 21, strike out the words "thirteen thousand dollars."

In line 25, strike out the words "eight thousand dollars."

In lines 29 and 30, strike out the words "four thousand five hundred dollars."

In line 32, strike out the words "five thousand dollars."

In lines 33 and 34, strike out the words "two thousand five hundred dollars."

In line 36, strike out the word "one," and insert the words "eight hundred."

Page 19, strike out from line 1 to line 24, inclusive, the following :

"The trustees of the Willard asylum are hereby authorized, out of the surplus earnings of said asylum and not otherwise, to erect, on their grounds, wooden cottage pavilions, for the accommodation of one hundred comparatively harmless inmates of the asylum, in such a style of architecture and finish as not to cost more than at the rate of one hundred dollars for each inmate, and also to erect a new group of detached brick buildings for the accommodation of two hundred and fifty female patients, similar to those already erected. The surplus earnings of said asylum, already accumulated, are hereby devoted to the erection of such pavilions and group of buildings ; and the management of said asylum shall continue to be so economically administered, as to yield, for the completion of said structures, a revenue of twenty cents per week, *per capita*, without any increase on the present charges for maintenance. The total cost of such group shall not exceed seventy thousand dollars."

Same page, after line 24, insert the following :

"All laws authorizing the appointment of a building superintendent, and fixing the salary of building superintendent for Willard Asylum for the insane, are hereby repealed."

Page 21, strike out from line 8 to line 16 inclusive, the following :

"And the further sum of thirty thousand dollars for the erection, heating and furnishing of a suitable building for its use ; but no part of the sum herein last appropriated shall be expended except upon a plan for such building which shall be approved by the Comptroller and Superintendent of Public Instruction, and upon estimates which will satisfy the Comptroller that the cost of such building, apparatus for heating and furnishing will not exceed the sum of sixty thousand dollars."

Same page, line 23, strike out the word "five," and insert the word "ten."

Same page, after line 29, insert the following :

"For the State Inebriate Asylum, at Binghamton, for repairing the towers, cornice and battlements, the coping, walls and roof of the north wing of the asylum, and repointing and repainting front wall, in order to preserve the building from further deterioration from rain and snow, the sum of two thousand five hundred dollars."

"For finishing the basement and first stories of the State Inebriate Asylum, at Binghamton, the sum of seven thousand five hundred and thirty-four dollars and thirty-cents."

"For the commissioners of quarantine, for repair of rip-raps or sea wall of Swinburne island, repair of machinery and dock and for painting ; for repairs of roof of buildings on Hoffman island, and for painting ; for repairs of boiler of steamer N. K. Hopkins, and for painting the steamer ; for repairs of the steamer Illinois and the residence of the health officer, twenty thousand dollars, and for the care and maintenance of the quarantine establishment, ten thousand dollars."

Same page, in lines 32 and 33, strike out the words "in pursuance of chapter two hundred and ninety-one of the Laws of eighteen hundred and seventy-six."

Same page, line 34, strike out the word "two," and insert the word "one ;" and after the word "hundred," insert the words "and fifty."

Same page, line 36, strike out the word "five," and insert the word "two ;" and after the word "thousand," insert the words "five hundred."

Page 23, lines 1 to 12, inclusive, strike out the following :

"For William C. Stephens, James J. Belden, Henry D. Denison and

Thomas Gale, to pay a judgment obtained by them in the Supreme Court, at Albany, against the people of this State, docketed May fourth, eighteen hundred and seventy-seven, and for interest thereon, the sum of six thousand nine hundred and eight dollars and forty-five cents."

"For William C. Stephens, Thomas Gale, James J. Belden, George D. Lord, Henry D. Denison and Gilbert Peterson, to pay a judgment obtained by them in the Supreme Court, at Albany, against the people of this State, docketed January twenty-ninth, eighteen hundred and seventy-eight, and for interest thereon, the sum of three hundred and eight dollars and forty-two cents."

And insert in lieu thereof the following:

"For Messrs. Hiscock, Gifford and Doheny, as attorneys for defendants Stephens, Belden, Denison and Gale, in the action hereinafter named, the sum of six thousand eight hundred and twenty dollars and twenty-nine cents, being the amount in full payment of the principal of two judgments for costs against the people of this State in the action commenced in the name of the people by Attorney-General Barlow against said Stephens, Belden, Denison, Gale and others, which judgments were docketed in Albany county clerk's office, the one on the fourth day of May, eighteen hundred and seventy-seven, and the other (affirming the first judgment) on the twenty-ninth day of January, eighteen hundred and seventy-eight; and the further sum of three hundred and ninety-five dollars and fifty-eight cents for interest on said judgments."

"The Comptroller shall pay the above sums to the above named attorneys upon their producing to, and filing with the Comptroller, a satisfaction of both such judgments, certified to be in due form by the Attorney-General.

Same page, insert, after preceding item, the following:

"For John Flanagan, as defendant in the action hereinafter named, the sum of six hundred and sixty-four dollars and sixty-six cents, being the amount in full payment of the principal of two judgments for costs against the people of this State in the action commenced by the late Attorney-General against John Flanagan, which judgments were docketed in the clerk's office of the county of New York, the one on the eighth day of March, eighteen hundred and seventy-five, and the other (affirming the first judgment) on the eighth day of November, eighteen hundred and seventy-seven, and the further sum of ninety dollars and eighty-two cents for interest on said judgments."

"The Comptroller shall pay the above sums to the above-named defendant upon his producing to, and filing with the Comptroller, a satisfaction of both said judgments, certified to be in due form by the Attorney-General."

Same page, line 13, strike out the word "for," first occurring, and insert the words "For Rufus W. Peckham, survivor of."

Same page, line 23, strike out the word "attorneys," and insert the words "Rufus W. Peckham," and in the same line, strike out the word "their," and insert the word "his."

Page 25, line 6, strike out the word "and."

Same page, after the word "dollars," in line 11, insert the following: "for the services of John McKeon, as counsel on the part of the State, at the request of the prosecutor, during the investigation before the Senate committee on banks, on the charges against DeWitt C. Ellis, late Superintendent of the Bank Department, the sum of one thousand dollars."

Same page, after the item for John F. Berrigan, insert the following:

"For John Clark, for compensation of counsel employed by him in the matter of the contested election for member of assembly in eighteen hundred and seventy-eight, for the thirteenth assembly district of the county of New York, and for other expenses therein, the sum of two thousand dollars."

"For Charles H. Duell, for compensation of counsel employed by him in the matter of the contested election for member of Assembly in eighteen hundred and seventy-eight, for the Thirteenth Assembly district of the county of New York, and for other expenses therein, the sum of two thousand dollars; and the further sum of nine hundred and twenty dollars for that portion of his annual salary as member of Assembly, which was drawn by John Clark while occupying his seat."

Same page, line 13, strike out the word "four," first occurring, and insert the word "ten."

Same line, strike out the word "four," second occurring, and insert the word "six."

Same line, strike out the word "two," and insert the word "four;" and in line 14 strike out the word "twenty."

Same page, line 20, strike out the word "and," first occurring.

Same page, after the word "dollars," in line 20, insert the following:

"For Hudson C. Tanner, three hundred dollars; for John McKenna, two hundred and fourteen dollars and five cents; for A. B. Elliot, one hundred and forty-two dollars and fifty cents; for George G. Herman, nine hundred and ninety-one dollars; for Rufus W. Peckham, one thousand dollars; for Henry Smith, one thousand dollars; for Matthew Hale, one thousand dollars; for Samuel Hand, one thousand dollars; for T. H. Ferris, seventy-two dollars and seventy cents; and for John B. Haskins, four hundred and eighty-one dollars and five cents."

Same page, line 23, after the word "city," insert the words "and county."

Same page, after line 30, insert the following:

"For the erection of an armory in the city of Kingston, Ulster county, for the use of the national guard, in said city and county, the sum of fifteen thousand dollars, to be expended under the direction of the Adjutant-General, the Inspector-General and the Chief of Ordnance of this State; but no part of said sum shall be expended by them except upon a contract for the completion of such armory within the limits of this appropriation, nor until an indefeasible title to a suitable site for such armory, free from all incumbrances, shall be vested in the people of this State."

Page 26, after line 31, insert the following:

"The unexpended balance of the appropriation of twenty-two thousand eight hundred dollars made in chapter one hundred and ninety-three of the Laws of eighteen hundred and seventy-six, 'to refund to contractors the amounts deposited by them, in trust, with the late treasurer, in pursuance of chapter eight hundred and fifty of the Laws of eighteen hundred and seventy-two, and chapter seven hundred and sixty-six of the Laws of eighteen hundred and seventy-three, with such equitable interest as may be due thereon,' being the sum of seven thousand nine hundred and ninety-one dollars and eighty-five cents, is hereby reappropriated for the same purpose."

Same page, line 35, strike out the word "four," and insert the word "two."

Page 27, line 1, strike out the word "sixty," and insert the word "thirty."

Page 29, line 35, strike out the word "and."

Page thirty, after the word "cents," in line 4, insert the following: "and for printing and binding, in two volumes, five hundred copies of the continuation of the general index to the documents of the State of New York, from seventeen hundred and seventy-seven to eighteen hundred and seventy-seven, both years inclusive, prepared by the Clerk of the Senate, pursuant to a resolution of the Senate passed May twenty-four, eighteen hundred and seventy-seven, three thousand six hundred and twenty-four dollars, or so much thereof as may be necessary, to be paid on the certificate of the Clerk of the Senate under whose direction the work was executed."

Same page, line 12, strike out the word "and."

Same page, after the word "cents," in line 17, insert the following: "and for printing six hundred copies, and binding four hundred in cloth and one hundred in full leather, of 'the testimony and arguments of counsel before the Senate on charges against John F. Smyth, Superintendent of the Insurance Department,' and six hundred copies of the 'journal of the Senate,' pursuant to resolution of the Senate adopted March twelve, eighteen hundred and seventy-eight, the sum of one thousand three hundred and eight dollars."

Page 31, after the line 11, insert the following:

"The new Capitol Commissioners are hereby charged with the care and superintendence of the north center portion of the new Capitol building when completed, and with the employment of the necessary attendants and laborers therefor, and also with the duty of providing for the heating, lighting and cleaning of the same, out of appropriations herein made for the new Capitol."

Same page, strike out from line 12 to 23 inclusive, the following:

"For the canal board, two thousand five hundred dollars, or so much thereof as may be necessary, to pay the services of David A. Wells, William H. Thurston and L. J. N. Stark, commissioners appointed by the canal board to examine and report upon the subject of canal tolls, and also to pay for the clerk hire and other necessary expenses of the said commissioners. The canal board shall pay to each of said commissioners, out of the sum herein appropriated, such compensation as may be fixed and determined by said board."

Page 33, after line 11, insert the following:

"For repairing the stop-gate in the Genesee river feeder at Rochester, and for draining and putting in sanitary condition said feeder, the sum of one thousand four hundred dollars, to be expended under the direction of the State Engineer and Surveyor."

"For the construction of a suitable bridge over the Erie canal in the village of Tonawanda, connecting Delaware street in Erie county with Main street in Niagara county, the sum of twelve thousand dollars; said bridge to be built of such materials and in such manner as the State Engineer and Surveyor shall direct; provided, however, that before said bridge shall be constructed, or any portion of this appropriation shall be expended, the village of Tonawanda and the owners of land taken for or adjoining the site for said bridge shall indemnify and release the State from all and every claim for damages or compensation

for land taken, or for other damages, and provided further that said village shall have first, at its own cost, constructed the necessary approaches for such bridge."

Page 31. Transfer from page 31 to page 13, and insert, after the item for the city of Syracuse, the following :

"For the city of Utica, for the local assessment and expense of grading Canal street, from the old city line to the Whitesboro road, five hundred and fifty-six dollars and twelve cents."

And your committee do further recommend that the Assembly do concur in the amendments to the bill adopted in the Senate, and amended in the conference so as to read as follows :

Page 2, after line 20, insert the following :

"For rent of rooms in Congress Hall for the use of Senate committee on miscellaneous corporations, to be allowed in part payment for rent of building, and in no other way, three hundred dollars."

Page 12, before item for the county of Delaware, insert the following :

"For the services of the assistant appointed in pursuance of the resolution of the Assembly, adopted May twenty-fourth, eighteen hundred and seventy-seven, for the investigation of the financial relations of the Oneida and Stockbridge Indians with this State, the sum of one thousand dollars."

Page 13, after line 32, insert the following, "transferred from page 31 :

"For the city of Syracuse, as an equitable reimbursement and voluntary payment of the local assessment and expense of paving on Salina street, in said city, in front of the salt springs office, in eighteen hundred and seventy-six, three hundred and eighty-two dollars and seventy-two cents ; of the local assessment and expense of constructing a sewer in Salina street, in said city, in front of the salt springs office, in eighteen hundred and seventy-six, fifty-two dollars and sixty-two cents ; and of the local assessment and expense of constructing a sewer in Leavenworth avenue and Clark street, in said city, in front of lands belonging to the State, in eighteen hundred and seventy-seven, two thousand four hundred and seventy-nine dollars and seven cents."

Page 13, after the item for the city of Utica, insert the following :

"For the paymaster-general, to defray expenditures authorized by chapter one hundred and eighty-four of the Laws of eighteen hundred and sixty three, the sum of five hundred dollars, or so much thereof as may be necessary."

Page 18, line 36, strike out the words "fifty-eight," and insert the words "fifty-three,"

Page 20, after the word "cents," in line 3, insert the following :

"And for the erection of fire-proof stair cases in both wings of the institution, the sum of fifteen thousand dollars."

Page 25, after the item for the services of John McKeon, insert the following :

"And for the payment of the balance unpaid for services, expenses and disbursements, in the Supreme Court and Court of Appeals, of counsel on the part of the State, employed by Attorney-Generals Pratt and Fairchilds, in the suits of the people against Stephens and others, the people against Lord and Leahy, the people against Belden and others, and in other suits and proceedings relative to canal contracts and claims, six thousand five hundred dollars, or so much thereof as, in the judgment of the Comptroller and Attorney-General, may be necessary."

Page 25, insert after last preceding item, the following :

“ For John M. Clancy, for compensation of counsel employed by him in the matter of the contested election for member of Assembly in eighteen hundred and seventy-eight, for the First Assembly district of the county of Kings, and for other expenses therein, the sum of one thousand five hundred dollars.

“ For John F. Berrigan, for compensation of counsel employed by him in the matter of the contested election for member of Assembly in eighteen hundred and seventy-eight, for the First Assembly district of the county of New York, and for other expenses therein, the sum of seven hundred and fifty dollars.”

Page 25, insert after the item for Charles H. Duell, the following :

“ For Ambrose H. Purdy, for compensation of counsel employed by him in the matter of the contested election for member of Assembly in eighteen hundred and seventy-eight for the first Assembly district of the county of Westchester, and for other expenses therein, the sum of four thousand dollars.”

Page 30, after line 30 insert the following :

“ For continuing the work on the new capitol building, in the manner and for the purpose indicated in section two of chapter seven of the Laws of eighteen hundred and seventy-eight, and for building east and west walls of court, payable out of the surplus balances now in the treasury, not otherwise appropriated, the sum of seven hundred thousand dollars, which shall be paid by the Treasurer upon the warrant of the Comptroller, to the order of the new capitol commissioners, as they shall require the same. The New Capitol Commissioners are hereby authorized to take measures for the construction of suitable sidewalks and cross-walks on and across Washington avenue in front of the new capitol building, and to purchase by contract or otherwise the furniture for the north center portion of the building, in order that such portion may be ready for occupancy on the first day of January, eighteen hundred and seventy-nine.”

And your committee have further agreed to recommend that the Senate do recede from the following items and amendments to the bill, which were adopted in the Senate.

Page 3, insert after line 14, the following :

“ For Chester J. Moore, for services in subpoenaing witnesses in contested seat cases in the Assembly of eighteen hundred and seventy-eight, the sum of three hundred dollars.”

Page 6, lines 15 and 16, strike out the words “ and for compensation of stenographers for one year, twelve hundred dollars.”

Page 12, insert after the item for Clerk of the Senate, the following :

“ For Frank R. Winne, for services in subpoenaing witnesses before the Senate, on the trial of the charges against John F. Smyth, Superintendent of the Insurance Department, and for other services performed during said trial, the sum of two hundred dollars.”

Page 21, lines 24 to 29, inclusive, strike out the following :

“ For the Seamen's Retreat Hospital, on Staten Island, to pay the interest on the mortgage of fifty-five thousand dollars upon the institution, and the premiums for insurance thereon, and for necessary repairs of buildings, the sum of five thousand dollars ; and the further sum of twenty-five thousand dollars to be paid by the Comptroller toward discharging the principal of such mortgage.”

Page 24, line 29, strike out the word "ten," and insert the word "twelve."

Page 33, after item "for bridge over Erie canal in Tonawanda," insert the following:

"For dredging the canal basin at the foot of combined locks at Whitehall, the sum of ten thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the Superintendent of Public Works."

All of which is respectfully submitted.

HAMILTON HARRIS,

D. McCARTHY,

JOHN C. JACOBS,

Senate Committee.

THOMAS G. ALVORD,

S. D. HALLIDAY,

ERASTUS BROOKS,

I. I. HAYES,

J. W. WADSWORTH,

Assembly Committee.

Mr. Alvord moved that the Assembly do concur in the report of the conference committee on said bill, except so far as relates to the following items:

"For John M. Clancy, for compensation of counsel employed by him in the matter of the contested election for member of Assembly in eighteen hundred and seventy-eight for the First Assembly district of the county of Kings, and for other expenses therein, the sum of one thousand five hundred dollars.

"For Ambrose H. Purdy, for compensation of counsel employed by him in the matter of the contested election for member of Assembly in eighteen hundred and seventy-eight, for the First Assembly district of the county of Westchester, and for other expenses therein, the sum of four thousand dollars.

"For Chester J. Moore, for services in subpoenaing witnesses in contested seat cases in the Assembly of eighteen hundred and seventy-eight, the sum of three hundred dollars."

Page 14, line 8, after the word "necessary," insert the following: "and for the payment to the commandant of Battery H for rations furnished to his command at encampment ordered at general headquarters, one hundred and ninety-one dollars and thirty-three cents."

Same page, after line 10, insert the following:

"For the Adjutant-General, to be apportioned equally among the companies of the Fifty-fourth regiment, National Guard, in repayment of advances made by them for lockers, gun-racks, and other fixtures in the State armory, at Rochester, three thousand dollars; and for payment to the separate troop of cavalry, Captain Miller, Twelfth brigade, National Guard, for moneys paid by it in the purchase of its equipments, three thousand dollars."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would concur in the report of the conference committee, except the items as above stated, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof, as follows:

AYES 88.

NOES 11.

Those who voted in the affirmative, were

ALLEN
ALVORD

CRAWFORD
CROWLEY

HOBBIE
HOLAHAN

MEYENBORG
NORTH

STORY
SUTHERLAND

BAKER	CURRAN	HOLBROOK	PALMER	J. T. TAYLOR
BATHE	FISH	HOYT	PARKER	TERRY
BERGEN	FITZGERALD	HULME	PATTENGILL	THAIN
BERRIGAN	FLOYD-JONES	HURD	CICERO C. PECK	THOMSON
BERRY	FLYNN	JONES	DEWITT C. PECK	VALENTINE
BOUCK	FOSTER	KEEGAN	PEEK	WADSWORTH
BROOKS	FRANK	KERN	POOL	WAKELY
BROWNING	GALVIN	LANGNER	SAWYER	WARING
BRUNDAGE	GILBERT	LOVELAND	SEARING	WEMPLE
BURNS	GRADY	LOWING	SEEBACHER	WHEELER
CASE	GRAHAM	MAPES	SEWELL	WILBOR
CHASE	GRIGGS	MCDONOUGH	SHANLEY	WILLIS
CLANCY	HALLIDAY	MEAD	SHELDON	WINCH
CLAPP	HAMILTON	MEKEEL	SKINNER	WORTH
CORMACK	I. I. HAYES	MOLLER	SLITER	SPEAKER
COSAD	HENRY	MOOERS		

Those who voted in the negative, were

BEARD	MATTISON	PRESCOTT	REYNOLDS	TOWNSLEY
CLARK	NELSON	PROPER	ROBERTS	WILLERS
HAVENS				

Ordered, That the Clerk deliver said bill to the Senate, with a message informing that the Assembly have concurred in a portion of the report of the committee of conference thereon.

Mr. Alvord moved, as to said items above excepted, that the Assembly do non-concur therein, and that a conference committee be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee of conference Messrs. Alvord, Brooks, D. W. C. Peck, Graham, and James Hayes.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon, and request a like committee on the part of the Senate.

The bill entitled "An act in relation to the issue and sale of ferry tickets by the Union Ferry Company of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 78.

NOES 1.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HOYT	PARKER	STORY
ALVORD	FISH	JONES	PATTENGILL	SUTHERLAND
BAKER	FLOYD-JONES	KEEGAN	CICERO C. PECK	J. T. TAYLOR
BATHE	FLYNN	KERN	PEEK	TERRY
BEARD	FOSTER	LANGNER	POOL	THAIN
BERGEN	GALVIN	LOWING	PRESCOTT	TOWNSLEY
BERRY	GRADY	MAPES	REYNOLDS	VALENTINE
BOUCK	GRAHAM	MCDONOUGH	ROBERTS	WADSWORTH
BROOKS	GRIGGS	MEKEEL	SAWYER	WARING
BRUNDAGE	HALLIDAY	J. H. MILLER	SEARING	WEMPLE
BURNS	HAMILTON	MOLLER	SEEBACHER	WHEELER
CHASE	I. I. HAYES	MOOERS	SEWELL	WILBOR
CLANCY	HENRY	MEYENBORG	SHELDON	WILLIS
CLAPP	HOBBIE	NELSON	SKINNER	WINCH
CLARK	HOLAHAN	NORTH	SLITER	WORTH
COSAD	HOLBROOK	PALMER		

For the negative,

DEWITT C. PECK

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," with a message that they have assented to a further committee of conference upon the matters remaining in difference between the two Houses upon said bill, and have appointed as such committee on their part Messrs. Harris, Loomis, and Jacobs.

Mr. Kern offered, for the consideration of the House, resolutions in the words following :

Whereas, A great sorrow has cast its shadow over the household of our colleague, Hon. W. A. Crandall, of Madison, in the death of his only son last week, and in the death of his much-esteemed wife, who departed this life in Cazenovia this morning ;

Resolved, That the House express its sincere regret at the great loss which our colleague has suffered, and extends to him its sincere sympathy in his sudden bereavement.

Resolved, That a copy of these resolutions be sent to our colleague.

Resolved, That this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

Whereupon, at 1 o'clock and 10 minutes, the House adjourned.

MONDAY, APRIL 29, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Samuel E. Smith.

The journal of Friday, April 26, was read and approved.

The Private Secretary of His Excellency the Governor appeared before the bar of the House, and presented five several messages in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 29, 1878. . }

To the Assembly :

I return without my approval Assembly bill, not printed, entitled "An act providing for the appointment of an additional number of commissioners of deeds in the city of New York." There are already two thousand seven hundred and ten notaries public in the city of New York. Besides this there are three hundred commissioners of deeds, making a total of over three thousand officials in the city who are authorized to exercise the powers of the proposed new officials. I cannot see any good reason for adding to this already excessive number two hundred and fifty new and needless officers. If any change is desirable in such matters, it is in the direction of lessening the number of public officers, rather than increasing it. L. ROBINSON.

On motion of Mr. Grady, said bill, with message, was laid upon the table.

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 29, 1878. . }

To the Assembly :

I return without approval Assembly bill No. 271, entitled "An act

authorizing the Courts of Oyer and Terminer and the Courts of Sessions of the county of Saratoga to direct payment of clerk hire in certain cases."

This act seeks to authorize the Courts of Oyer and Terminer and the Courts of Sessions of the county of Saratoga to allow compensation to the person employed by and acting as clerk of the district attorney of that county for services rendered as such clerk at said court, not exceeding the sum of ten dollars a day, and for a period not exceeding six days at any one term of said court. It may perhaps be doubted whether the intent of this bill is to limit the compensation or gratuity mentioned to the person now acting as clerk to the district attorney, or whether it comprehends any person who may be employed in that capacity. But in either event, the enactment seems to be singularly unwise. It is no part of the province of either of the courts mentioned to remunerate the clerk of the district attorney. He is not a public officer known to the law. He is not subject to the supervision of the courts, and they have no knowledge as to the value of his services. If any such expenditure is proper, it is the duty of the board of supervisors to consider and allow it. They have abundant power, and there is no reason why, in a single county of the State, it should be taken away from them and vested in certain courts. The precedent would be pernicious, and might open the door to much mischievous legislation.

L. ROBINSON.

On motion of Mr. Neilson, said bill, with message, was laid upon the table.

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 29, 1878. }

To the Assembly:

I return without approval Assembly bill No. 169, entitled "An act requiring the highway tax of the New York Central and Hudson River Railroad Company through the town of Mentz to be applied to the repairs of certain highways and bridges in said town."

The first section of this bill provides that one-half of the highway tax of the New York Central and Hudson River Railroad Company, in the town of Mentz, Cayuga county, shall be paid annually by the commissioners of highways of said town of Mentz, to Porter P. Wethy, Hiram Burhans and the agent of said railroad company at Port Byron, and shall be expended by said Wethy and Burhans and said agent in work and repairs on the several roads and highways leading from the passenger and freight depot at Port Byron station to the village of Port Byron, and the work and repairs on certain other roads and highways named.

There are two fatal objections to this bill. The first is that it is simply an appointment by the Legislature of overseers of highways in the town of Mentz, and next, that it is a plain violation of the eighteenth section of the third article of the Constitution, in that it is a local bill providing for the working of roads and bridges. Either fault is sufficient to justify its veto, and the two render it both unconstitutional and improper.

L. ROBINSON.

On motion of Mr. Converse, said message, with bill, was laid upon the table.

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, April 29, 1878. }

To the Assembly:

I return, without approval, Assembly bill No. 140, entitled "An act

to amend chapter 104 of the Laws of 1877, entitled 'An act to authorize the treasurer of Monroe county to sell property for unpaid taxes.'

In the sales of lands for taxes by the State, the law requires a publication once in each week for twelve weeks. The act authorizing the county of Monroe to make sale of its own lands reduced the time from twelve weeks to six weeks. This bill proposes to further reduce it from six weeks to two weeks. This is plainly too short a time, and may cause very great injustice and wrong to the owners of real estate advertised to be sold. It is only one-third of the time required for publication of notice of sales under all judgments of the courts, and cannot be regarded as a full and fair notice to parties interested.

L. ROBINSON.

On motion of Mr. Skinner, said message, with bill, was laid on the table.

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, April 27, 1878.

To the Assembly :

I return, without approval, Assembly bill No. 166, entitled "An act relating to certain indebtedness of the city of New York, and to provide for the payment and cancellation of the same."

I have given to this bill careful study, coming to its examination with a strong prejudice in its favor. It is commended by the Mayor and Comptroller of the city of New York as a measure that will "simplify the financial affairs of the city, prevent the future augmentation of its debt, and provide for the payment of its outstanding stocks and bonds at maturity." My own examination of it has led me to fear that if enacted it will accomplish nothing toward these purposes beyond what will be attained if the financial affairs of the city are left to be regulated by the existing ordinances and laws.

A general objection to the whole bill is that its language is so obscure and involved that its construction will be difficult and uncertain. Trusts so enormous as those affected by this bill ought not to be subject to statutes wanting in precision.

The financial condition of the city is this, as stated in the memorial of its authorities recommending this bill. Its funded debt is \$121,440,133.15. Its temporary debt payable from special assessments is \$21,329,500. The revenue bonds which are issued every year in anticipation of the taxes for the year are omitted from this statement. For the payment of the assessment bonds, the moneys collected and to be collected from assessments now form a special and appropriate fund. The bill proposes that these temporary assessment bonds shall be mixed up with the funded debt and that the existing sinking fund provided for the redemption of the funded debt shall be made liable for these temporary bonds. It provides, it is true, that the moneys now in the treasury of the city, collected on account of assessments for local improvement, and all moneys that shall be collected hereafter on account of assessments for local improvements now begun, shall be paid into the sinking fund, so that only the deficiency in the collections for these assessments will in fact be paid out of the sinking fund. This provision is not in the direction of simplicity, nor is it consistent with good faith. The sinking fund was established for and is pledged to the protection of certain long bonds. It is obvious that if these assessment bonds are made a charge upon the

sinking fund, they having a shorter time to run will be paid earlier and have a preference over the bonds to which the sinking fund belongs and is pledged. Another class of bonds amounting to one million of dollars is to receive a like unfair preference, to wit, certain bonds of the towns annexed to the city from Westchester county. These, by section 4, are to be called in, redeemed and cancelled out of a sinking fund not originally pledged to them. These Westchester bonds have already been assumed by the city. There is no reason why they should not be left to get the benefit of the sinking fund in common with the rest of the funded debt in their proper turn. Moreover, while the bill professes to pay into the sinking fund the whole sum to be collected from assessments, it provides that all the assessments due from the city itself on its real estate shall be cancelled of record, thus increasing the burden unjustly imposed on the sinking fund for this class of bonds. With regard to the assessment bonds, the simple and honest course is to apply to their payment all the moneys properly pertaining to them that can be collected. When a deficiency in such collection is ascertained such deficiency of course must be assumed by the city, and will then become part of the funded debt and receive in common with other indebtedness the benefits of the sinking fund. There is not the slightest need of now mixing the accounts of the assessments with those of the funded debt, or with those of the sinking fund. It would be a breach of the city's plighted faith to do so. Any change in this respect, which is not necessary, is likely to be of injury. It will serve to conceal from public observation the deficiency likely to result in assessment collections.

Section six of the bill provides that whenever in any year the commissioners of the sinking fund, shall certify that the accumulations in the sinking fund are not sufficient to pay the stocks and bonds becoming due in the next calendar year, the city shall levy a tax towards the payment of such bonds or stocks provided that such tax shall not exceed in any one year \$1,000,000. This section so far from providing for the payment and cancellation of the city debt, which the title of the bill proclaims as its object, in fact restrains the city from paying its debt as it comes due however willing it may be to do so. The reason assigned for this restriction is that it will be too burdensome on the tax payers to exact from them each year the whole of the principal that falls due in the year. The amount of principal that falls due in the ten years including the period from 1878 to 1887, makes an average of \$2,835,000 for each year. This is the average amount of principal to be paid beyond that which the sinking fund has provided for; that is to say, it is the amount of the principal debt which must be paid by taxation, or by an issue of new bonds. The difference between the share of the state tax paid by the city in 1873, and the share paid by it in the present year is almost double the average sum which the city would be obliged to raise annually if for the above period of ten years it met all the maturing principal of its debt by taxation. The debt of the city must be paid by taxation sooner or later, and the provision in this section would have been wiser if instead of restraining the city from taxing itself beyond a million in any year, it had required a tax to be levied every year of at least a million for the payment of the principal of the debt whether the sinking fund was equal to the demand for the year or not.

The sinking fund for the redemption of the city debt was established many years ago by ordinance of the common council. It is dangerous for the Legislature to meddle in any degree with its original pledges.

It was established to provide for the payment of certain bonds of the city which amount in all to \$21,510,043.47, not payable, some of them, until 1917. The securities in the sinking fund amount now to \$31,080,007.54, that is to say, there is a nominal excess of \$9,500,000, and with this excess the bill proposes to deal. Until the stocks in behalf of which the fund was created are fully paid, there is no excess, there is no sum which the common council or the Legislature can properly divert or pledge to other purposes. Until then, the accumulations must, as a matter of good faith, go on as prescribed by the original terms of the ordinance. Nor is there any necessity for now disposing of the excess which will be found in the fund, if all goes well, when its original purposes shall have been accomplished. By the ordinances of the common council the commissioners of the sinking fund are obliged to make all their investments in city stocks, so that when the sinking fund has accomplished its original purpose, whatever excess or surplus there may then be will be found invested in the various outstanding stocks of the city, a ready-made sinking fund for those stocks. By letting things alone, by leaving the sinking fund to operate under the original ordinance, the city keeps faith with the creditors to whom the fund was first pledged, and yet is constantly doing the very best thing to protect its other creditors, to wit, buying its own debts.

The most accurate calculations I have been able to make show that in 1888 the sinking fund, if let alone, will have an accumulation of over \$50,000,000, after having paid \$12,500,000 of principal of debt coming due in the mean time.

Again the bill authorizes the issue of new bonds to run from twenty to fifty years in exchange for all bearing interest at more than five per cent that are now a charge upon the city. It does not limit this issue to the necessities of the city arising from time to time from insufficiency of the moneys provided jointly by the sinking fund and by taxation. The probable effect of this section would be to place the greater part of the debt beyond the reach of the commissioners of the sinking fund.

Despite the fact that the bill provides for the exchange of city securities to an enormous amount it contains no provision for publicly advertising their sale or exchange or for securing competitive bids. The entire matter is left to private negotiation and the city might fail to realize any fair premiums whatever upon its new issues. Transactions of so large amount in valuable securities ought to be made on public notice and in such way as to secure for the city the most profitable disposition of its bonds.

The bill, as I have said, is obscure and ambiguous in its language. Financial statutes ought, above all other laws, to be clear and precise, leaving no room for misconstruction.

I would promptly give my assent to any bill which would secure with certainty a simpler and better condition of the city finances and provide for the extinguishment of its debt as rapidly as is consistent with the ability of the tax-payers. An act clothed in very few words and containing a few simple provisions would suffice to these ends, and would accomplish, with certainty, all the beneficial results which are claimed to be the purposes of this bill without encountering the objections which many of its provisions suggest.

The act should provide:

1. That the city shall levy every year at least one million of dollars towards payment of the principal of its debt.

2. That whenever in any year the amount of principal which falls due is greater than the sum provided by the sinking fund and by taxation, the residue may be met by a new issue of bonds under proper restrictions.

3. That whenever the commissioners of the sinking fund hold or shall purchase any of the bonds or stocks for securing the payment of which the sinking fund was created, such bonds or stocks shall be cancelled and the interest on them shall cease.

4. That whenever bonds for new purposes shall be issued annual taxes shall thereafter be levied sufficient to pay the interest and to meet the principal within twenty years.

L. ROBINSON.

On motion of Mr. Fish, said message, with bill, was laid upon the table and ordered printed.

(See Doc. No. 125.)

The Senate returned the concurrent resolution relative to recalling Assembly bill entitled "An act to further amend chapter 518 of the Laws of 1864, entitled 'An act to protect butter and cheese manufacturers,'" for amendment, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Skinner introduced a bill entitled "An act to amend section 90 of chapter 426 of the Laws of 1847, as re-enacted by section 32 of chapter 628 of the Laws of 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Worth introduced a bill entitled "An act to extend the time within which the Brooklyn Guaranty and Indemnity Company, a corporation created under chapter 481 of the Laws of 1874, may begin the transaction of its business," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Worth, and by unanimous consent, said bill was ordered to a third reading.

Also, a bill entitled "An act to authorize the use of steam motors upon the Astoria and Hunter's Point railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Grady introduced a bill entitled "An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors, and the acts amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Thain introduced a bill entitled "An act in relation to receivers of corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act for the relief of George Hoffman," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord introduced a bill entitled "An act to reappropriate certain moneys heretofore appropriated by chapter 425 of the Laws of 1876," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

Mr. Nelson introduced a bill entitled "An act to exempt the real estate of the trustees of the House of the Good Shepherd, in the county of Rockland, from taxation," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Nelson, and by unanimous consent, said bill was ordered to a third reading.

Mr. Willers introduced a bill entitled "An act to amend chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,' and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

On motion of Mr. Flynn, and by unanimous consent, the Assembly bill entitled "An act to repeal an act entitled 'An act to amend an act to provide for the incorporation of religious societies,' passed April 23, 1867," was ordered to a third reading.

Mr. Fish called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 351, No. 309, "An act for the protection of life, and to prevent accident by vessels navigating the port and harbor of New York, and waters adjacent thereto."

G. O. 320, No. 274, "An act to amend section 8 of chapter 708 of the Laws of 1871, entitled 'An act to amend an act to provide for the incorporation of fire insurance companies, passed June 25, 1853.'"

G. O. 508, No. 447, "An act requiring receivers of corporations to make reports."

G. O. 369, No. 324, "An act to repeal subdivision 3 of section 2 of chapter 769 of the Laws of 1857, and chapter 530 of the Laws of 1872."

G. O. 536, No. 470, "An act to amend chapter 596 of the Laws of 1874, entitled 'An act to incorporate the Manhattan Mortgage Company.'"
[With an amendment.]

G. O. 338, No. 293, "An act to repeal an act entitled 'An act to create a metropolitan sanitary district and a board of health therein for the preservation of life and health, and to prevent the spread of disease,' passed February 26, 1866, so far as relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town, and defining the powers and duties."

G. O. 441, No. 395, "An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie, and to consolidate with it other acts relating to said city,'"

G. O. 554, No. 487, "An act to incorporate the General Council of the Methodist Episcopal Ministers' National Mutual Aid Association, and to provide for the organization of subordinate chapters."

G. O. 410, No. 365, "An act for the relief of the Lutheran cemetery, in the town of Newtown, in the county of Queens." [With amendments.]

G. O. 467, No. 415, "An act to prohibit the taking of certain kinds of fish from the waters of Loon lake, in the county of Steuben."

G. O. 481, No. 427, "An act to facilitate the proper disposition of funds deposited in the insurance department for the security of policy holders in life insurance companies." [With amendments.]

G. O. 550, No. 484, "An act to confirm the official acts of Ralph L. Cook as notary public of Kings county."

G. O. 374, No. 331, "An act to discharge chattel mortgages."

G. O. 577, No. 498, "An act to extend the charter of the Saratoga Lake bridge company."

G. O. 482, No. 428, "An act to repeal chapter 291 of the laws of 1870, entitled 'An act for the incorporation of villages.'" [With an amendment.]

G. O. 327, No. 282, "An act to improve Steinway avenue, Long Island City."

Senate, G. O. 579, No. 210, "An act to change the boundary of the village of Hempstead in the county of Queens."

Senate, G. O. 585, No. 239, "An act relating to the assessment for Prospect Park in the city of Brooklyn."

Senate, G. O. 595, No. 189, "An act to establish and settle the bulk-head and pier lines, for Newtown creek, in the port of New York."

G. O. 571, No. 224, "An act in relation to the term of office of the clerk of the board of supervisors of Kings county." [With amendments.]

Mr. Brooks moved that Assembly bill entitled "An act to further amend chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,'" be laid upon the table.

Mr. Fitzgerald moved that Assembly bill entitled "An act to repeal subdivision 3 of section 2, chapter 769 of the Laws of 1857, and chapter 530 of the Laws of 1872," be recommitted to the committee of the whole.

The question being on agreeing to said report,

Mr. Speaker put the question whether the House would agree to said report, except the above named bills, and it was determined in the affirmative, and said bills ordered engrossed, and to a third reading.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Brooks, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fitzgerald; when,

Debate arising thereon,

Mr. Kern moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fitzgerald, and it was determined in the affirmative.

Mr. Chappell moved that Assembly bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" be recommitted to the committee on affairs of villages, retaining its place on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Berry called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

Senate, G. O. 574, No. 180, "An act to authorize the postponement of the levy of a tax to pay the bonds issued by the town of Vienna in the county of Oneida, to facilitate the construction of the New York and Oswego Midland Railroad, not yet matured." [With amendments.]

Senate, G. O. 498, No. 169, "An act to legalize the acts of Owen Glennon, a justice of the peace of the town of Hunter, Greene county,"

Senate, G. O. 488, No. 76, "An act to amend chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights and other property connected therewith.'" [With amendments.]

Senate, G. O. 492, No. 150, "An act to amend chapter 150 of the Laws

of 1837, entitled 'An act authorizing a loan of certain moneys belonging to the United States deposited with the State of New York for safe keeping.'"

Senate, G. O. 442, No. 62, "An act in relation to the payment of assessments for local improvements in the city of New York."

Senate, G. O. 572, No. 166, "An act to amend chapter 83 of the Laws of 1869, entitled 'An act to provide for improvement of Grass river and of the water power thereon, and to check freshets therein.'"

G. O. 357, No. 313, "An act to amend an act entitled 'An act to provide security against extraordinary conflagration, and for the creation of safety funds by fire insurance companies,' passed April 16, 1874."

G. O. —, No. —, "An act to incorporate 'Brewer Fire Company,' of the village of Monsey, in the county of Rockland, State of New York."

G. O. 555, No. 488, "An act to reduce the number of managers of the Charity Foundation of the Protestant Episcopal Church in the city of Buffalo."

G. O. 471, No. 418, "An act relative to the collection of taxes in the town of Plattsburgh, in the county of Clinton."

G. O. 500, No. 444, "An act for the better protection of innkeepers." [With an amendment.]

G. O. 531, No. 465, "An act to repeal sections 3, 4, 5, 6, 7 and 8 of chapter 392 of the Laws of 1873, entitled 'An act for the relief of the Corning library.'"

G. O. 472, No. 419, "An act to limit and define the powers of the supervisor, town clerk, commissioners of highways, and justices of the peace, of the town of Pelham, in the county of Westchester."

G. O. 473, No. 420, "An act for the distribution of the funds now in the Insurance Department, which funds now stand for the credit of the National Life Insurance Company of New York, for the security of policy holders." [With amendments.]

G. O. 497, No. 442, "An act to incorporate the Columbia County Bar Association."

The question being on agreeing to said report,

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills ordered engrossed, and to a third reading.

Mr. Berry, also, called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows :

G. O. 587, No. 503, "An act to further amend the act entitled 'An act for the protection of private parks and grounds, and to encourage the propagation of fish and game,' passed April 21, 1871, and amended by chapter 347 of the Laws of 1876."

G. O. 385, No. 242, "An act to amend chapter 103 of the Laws of 1877, entitled 'An act to facilitate the construction of narrow gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850." [With amendments.]

G. O. 341, No. 296, "An act for the relief of the Port Byron free school district in the town of Mentz, in the county of Cayuga."

G. O. 578, No. 499, "An act to amend chapter 241 of the Laws of 1877, entitled 'An act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance.'"

G. O. 502, No. 446, "An act to amend chapter 25 of the Laws of 1870,

entitled 'An act to incorporate the city of Rome and the acts amendatory thereof.'"

G. O. 485, No. 431, "An act to amend chapter 482, Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

G. O. 544, No. 478, "An act to amend an act passed April, 1862, entitled 'An act for the better protection of life and property in the city of Brooklyn.'": [With amendments.]

G. O. 597, No. 511, "An act to change the location of the court house and clerk's office of Richmond county, by a majority vote of the board of supervisors of said county, and a vote of approval by the electors of said county."

G. O. 543, No. 477, "An act to provide for the construction of storm or surface water sewers in the city of Brooklyn."

Senate, G. O. 561, No. 138, "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

Senate, G. O. 389, No. 129, "An act to regulate the election of permanent members of the Medical Society of the State of New York."

Senate, G. O. 486, No. 161, "An act to incorporate the Grand Council of Royal Templars of Temperance of the State of New York."

Senate, No. —, G. O. 556, "An act to incorporate the Auburn City Hospital."

The question being on agreeing to said report,

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills were ordered engrossed, and to a third reading.

The privileges of the floor were granted to the Hon. Stephen B. Stephens.

Mr. Speaker and the Clerk, with the consent of the Assembly, referred the following entitled bills to the sub-committee of the whole :

Senate, G. O. 629, No. 204, "An act concerning the limits and jurisdiction of the State of New York and the State of Connecticut."

Senate, G. O. 633, No. 221, "An act to enable Charles Lanel and his successor to take and hold real estate in the State of New York, as trustee, and to sell and convey the same within a limited period, notwithstanding his alienage."

Senate, G. O. 632, No. 254, "An act to release the interest of the people of the State of New York in and to certain surplus moneys arising upon the sale of certain land, of which Dederick Harth died seized."

Senate, G. O. 631, No. 170, "An act to release the interest of the State in the real estate of which Peter Welden, late of the county of Richmond, died seized, to Patrick Doran."

Senate, G. O. 621, No. 165, "An act to amend chapter 282 of the Laws of 1852, entitled 'An act defining the exemptions from taxation on public buildings in the city of New York,' and to extend the provisions thereof to the city of Brooklyn."

G. O. 529, No. 464, "An act to authorize the extending of State street in the city of Brooklyn to the East river, and to the permanent bulk-head line."

G. O. 610, No. 520, "An act in relation to elections in the city of Albany, and to provide for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage thereat."

G. O. 539, No. 473, "An act respecting the collection of taxes in the city of Buffalo."

G. O. 565, No. 493, "An act to repeal so much of section 1 of chapter 833 of the Laws of 1871 as provides for the opening of part of North Thirteenth street, in the city of Brooklyn, without the consent of the property owners."

G. O. 594, No. 510, "An act to provide for a ferry landing in the fourteenth ward of the city of Brooklyn."

G. O. 598, No. 512, "An act for the protection of life and limb."

G. O. 602, No. 513, "An act to regulate commitments of juvenile delinquents and other persons to charitable or reformatory institutions where the same is a county or city charge."

G. O. 604, No. 515, "An act in relation to the manual labor school upon the Tonawanda reservation."

G. O. 607, No. 518, "An act in relation to the term of office of the keeper of the morgue of Kings county."

G. O. 608, No. 519, "An act to provide for the distribution of the acts of the Legislature to town clerks' offices."

Senate, G. O. 624, No. 253, "An act declaring both branches of the Oswegatchie river, in the towns of Croghan and Diana, Lewis county, public highways."

G. O. 638, No. 533, "An act to facilitate the completion of the Syracuse, Phoenix and Oswego railroad."

A communication was received and read, from the Governor, in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *April 29, 1878.* }

To the Assembly :

In accordance with a joint resolution of the Senate and Assembly, I return, for amendment, Assembly bill No. 120, entitled "An act to amend chapter 161 of the Laws of 1876, entitled 'An act to amend chapter 563 of the Laws of 1869, entitled An act to amend an act entitled An act to protect butter and cheese manufacturers,' passed May 2, 1864."

L. ROBINSON.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ALVORD	CURRAN	HOBIE	NEILSON	SHEARD
BAKER	DALY	HOLAHAN	NELSON	SHELDON
BATHE	DEYOE	HOYT	NORTH	SKINNER
BEARD	DUELL	HULME	PALMER	SUTHERLAND
BERGEN	FISH	JONES	PARKER	E. TAYLOR
BERRY	FITZGERALD	KEEGAN	CICERO C. PECK	J. T. TAYLOR
BROOKS	FLOYD-JONES	KELLOGG	PEEK	TERRY
BROWNING	FOSTER	LANGNER	PIPER	THAIN
BRUNDAGE	GALVIN	LOVELAND	POOL	THOMSON
CHAPPELL	GILBERT	LOWING	PRESCOTT	TOWNSLEY
CHASE	GRADY	MCDONOUGH	ROBERTS	VALENTINE
CLAPP	GRAHAM	MEKEEL	ROWLAND	WADSWORTH

CLARK	GRIGGS	S. V. R. MILLER	SAWYER	WILLERS
CONVERSE	HALLIDAY	MOLLER	SEARING	WINCH
COSAD	HAMILTON	MOOERS	SEWELL	WORTH
CROWLEY	I. I. HAYES	MEYENBORG		

On motion of Mr. Sheldon, and by unanimous consent, said bill was amended in the words following :

In line 19, section 1, between the words "defraud" and "supply," insert the word "sell," so that it shall read : "whoever shall, with intent to defraud, sell, supply or bring."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78. NOES 00.

Those who voted in the affirmative, were

ALVORD	CRAWFORD	I. I. HAYES	MEYENBORG	SHELDON
BAKER	CROWLEY	HENRY	NELSON	SKINNER
BATHE	DALY	HOBBIE	NORTH	STORY
BEARD	DEYOE	HOLBROOK	CICERO C. PECK	SUTHERLAND
BERGEN	DUELL	HOYT	PEEK	E. TAYLOR
BERRY	FISH	HULME	PIPER	J. T. TAYLOR
BROOKS	FITZGERALD	JONES	POOL	THAIN
BROWNING	FLOYD-JONES	KELLOGG	PRESCOTT	THOMSON
BRUNDAGE	FOSTER	LANGNER	REYNOLDS	TOWNSLEY
BURNS	GALVIN	LOVELAND	ROBERTS	WADSWORTH
CHAPPELL	GILBERT	MATTISON	ROWLAND	WAKELY
CHASE	GRADY	MCDONOUGH	SEARING	WEMPLE
CLANCY	GRAHAM	MEKEEL	SEEBACHER	WILLERS
CLAPP	GRIGGS	S. V. R. MILLER	SHANLEY	WILLIS
CLARK	HALLIDAY	MOLLER	SHEARD	WINCH
CONVERSE	HAMILTON	MOOERS		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Turner, Int. No. 108, entitled "An act for the relief of corporations formed under chapter 40 of the Laws of 1848, and acts amendatory thereof, in omitting to file either of the certificates required by the first section of said chapter," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Edick, Int. No. 124, entitled "An act to ratify and confirm the title of Catherine Rasbach to certain lands in the village of Ilion, Herkimer county, N. Y.," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Robertson, Int. No. 147, entitled "An act to provide for the adjustment and payment of unpaid taxes due the county of Westchester by the towns of West Farms, Morrisania, and Kingsbridge, lately annexed to the city and county of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hicks, Int. No. 106, entitled "An act

to amend chapter 680 of the Laws of 1872, entitled 'An act to amend an act entitled An act in relation to wills,' passed April 23, 1864," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Moller, Int. No. 517, entitled "An act to incorporate the Mount Pleasant Water-works Company," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Graham, Int. No. 895, entitled "An act to empower the district attorneys of the several counties in this State, except the counties of New York and Kings, to employ officers to investigate crimes and to make the expense thereof a county charge," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Shanley, Int. No. 910, entitled "An act to establish the right of citizens of this State to carry on their business in all parts thereof," reported in favor of the passage of the same which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Astor, Int. No. 809, entitled "An act relating to the publication of notices of sales in foreclosure in the city of New York," reported in favor of the passage of the same, with an amendment, which report was agreed to and said bill was committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was recommended the bill introduced by Mr. Sheard, Int. No. 815, entitled "An act for the relief of Levi F. Carpenter," reported adversely thereto, which report was agreed to.

Mr. Alvord moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Meyenborg, Int. No. 901, entitled "An act in relation to licensing cartmen, truckmen and expressmen," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Grady moved to recommit said bill to the committee on the judiciary, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Berry, Int. No. 288, entitled "An act in relation to pipe-line companies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bergen, Int. No. 856, entitled "An act granting additional powers to courts of record," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. King, Int. No. 519, entitled "An act in relation to the powers and duties of attorneys-at-law," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Berry, Int. No. 883, entitled "An act to amend chapter 135, Laws of 1860, entitled 'An act in relation to district attorneys,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Case, Int. No. 606, entitled "An act in relation to the adoption of children," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. J. F. Pierce, Int. No. 203, entitled "An act to legalize the acts of surrogates and officers acting as such, in granting letters of administration, and to provide for the issuing of such letters in certain cases," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. J. F. Pierce, Int. No. 136, entitled "An act to authorize the trustees of Emily L. Shepard to convey lands in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Ecclesine, Int. No. 200, entitled "An act for the relief of Thomas E. Davis," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Goodwin, Int. No. 21, entitled "An act to amend section 52 of article 3, title 1, chapter 6, part 2 of the Revised Statutes, providing that devises and bequests in certain cases shall not lapse," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Goodwin, Int. No. 12, entitled "An act in relation to the property and families of absconding persons," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kern, from the committee on the judiciary, to which was referred the bill introduced by Mr. Wakely, Int. No. 605, entitled "An act to legalize the acts and proceedings of David P. Brooks, a justice of the peace of the town of Hume, Allegany county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Purdy, Int. No. 837, entitled "An act to promote improvement in the breeding, raising and keeping of horses and cattle," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Bergen, Int. No. 807, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Piper, Int. No. 159, entitled "An act to enable incorporated villages through which railroads run to provide for the transient poor therein," reported adversely thereto, which report was agreed to.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Miller, Int. No. 887, entitled "An act in relation to the publication of the session laws in the county of Rensselaer," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Hurd, Int. No. 461, entitled "An act to amend chapter 74 of the Laws of 1877, entitled 'An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of the State of New York,' and to provide for the incorporation of subordinate lodges of such order," reported adversely thereto, which report was agreed to.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Loveland, Int. No. 530, entitled "An act to amend chapter 74 of the Laws of 1877, entitled 'An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of the State of New York,' and to provide for the incorporation of subordinate lodges of such order," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Frank, Int. No. 766, entitled "An act to amend an act entitled 'An act to authorize the recovery at law for certain printing done for, and stationery furnished to the boards of aldermen and assistant aldermen in the city of New York,' passed June 5, 1877," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill, Int. No. 746, entitled "An act to improve Flushing avenue, Long Island City," reported in favor of the passage of the same (Mr. Fish dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. Keegan moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 171, entitled "An act in relation to the Colored Home of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 44, entitled "An act for the relief of Abel Crook," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 179, entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by McDonough, Int. No. 785, entitled "An act for the relief of John Hogan, and to authorize the Comptroller of the city of New York to pay the amount which may be found due from said city to said Hogan for granite furnished said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. McDonough, Int. No. 882, entitled "An act to provide for the proper lighting of the structures of the elevated railways in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. St. John, Int. No. 191, entitled "An act extending the time for the completion of the New York and New England railroad," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, presented a report in the words following:

To the Assembly of the State of New York:

The railroad committee, to which the memorial and resolution herewith returned were referred, would respectfully report thereon that they have heard argument as to the object of the same, its necessity, and otherwise, and that while Mr. Moller and Mr. Wheeler, of the committee, are positively in favor of recommending its adoption as reported, the remainder of your committee are not prepared to fully join in such recommendation, but return the same for the consideration of the House.

Mr. Brooks moved that said memorial and resolution be made a special order for Wednesday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Prescott, from the committee on railroads, reported a bill entitled "An act regulating the rate of charges for the transportation of coal upon railroads within this State," which was read the first time, and by unanimous consent was also read the second time, and said bill committed to the committee of the whole.

Mr. Mekeel, from the committee on commerce and navigation, to which

was referred the bill introduced by Mr. I. I. Hayes, Int. No. 621, entitled "An act to provide for the construction, repair and improvement of docks, wharves, piers, slips and bulk-heads in the city of New York, and for the management and control of the same," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 9 o'clock and 55 minutes, the House adjourned.

TUESDAY, APRIL 30, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of yesterday was read and approved.

Mr. Speaker announced, pursuant to the ninth joint rule, order of business, third reading of bills.

Mr. Moller moved that said order of business be laid upon the table, for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker then announced the special order of the day, being Assembly bill entitled "An act imposing a tax and prescribing the mode of collecting the same on the privilege of selling wine, ardent spirits or malt liquors within the limits of the city of New York."

The House then resolved itself into a committee of the whole on the above named bill; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Peek, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. Meyenberg moved to recommit said bill to the committee on affairs of cities, with instructions to strike out the enacting clause; and on that motion

Mr. Meyenberg moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Meyenberg, and it was determined in the negative, as follows:

AYES 49.

NOES 58.

Those who voted in the affirmative, were

ABBOTT	GRAHAM	KERN	PEEK	TERRY
BERRY	HALLIDAY	LOWING	PRESCOTT	THOMSON
CHAPPELL	HEPBURN	MATTISON	REYNOLDS	VALENTINE
CLAPP	HOBBIE	MCDONOUGH	SAWYER	WARING
CLARK	HOLBROOK	MOOERS	SEWELL	WILBOR
CURRAN	HURD	MEYENBORG	SHEARD	WILLIAMS
DEYOE	JONES	NIVEN	SHELDON	WILLIS
DELL	KEATOR	PARKER	SKINNER	WINCH
GILBERT	KEEGAN	PATTERSON	SUTHERLAND	WORTH
GRADY	KELLOGG	DEWITT C. PECK	E. TAYLOR	

Those who voted in the negative, were

ALLEN	CHASE	FRANK	MAPES	PURDY
ALVORD	CLANCY	GALVIN	MEKEEL	ROBERTS
BAKER	CONVERSE	GRIGGS	S. V. R. MILLER	SEARING
BATHE	CORMACK	HAMILTON	MOLLER	SEEBACHER
BEARD	COSAD	HAVENS	NEILSON	SLITER
BERGEN	CROWLEY	J. HAYES	NELSON	THAIN
BERRIGAN	DALY	HENRY	NORTH	TOWNSLEY
BOUCK	DAY	HOLAHAN	PATTENGILL	WADSWORTH
BROOKS	FISH	HOYT	CICERO C. PECK	WEMPLE
BROWNING	FITZGERALD	HULME	PIPER	WHEELER
BRUNDAGE	FLOYD-JONES	LANGNER	POOL	WILLERS
CASE	FLYNN	LOVELAND		

By unanimous consent,

Mr. Daly offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee on banks be instructed to report to this House, within five days, what measures should be taken for the better protection of depositors in savings banks, and for the prevention of fraudulent management on the part of directors and officers of such institutions; and that the said committee also report at the same time, what legislation is necessary to prevent the extortionate charges of receivers and their counsel in winding up insolvent savings banks.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Worth offered, for the consideration of the House, a resolution in the words following:

Resolved, That Senate bill, G. O. 647, entitled "An act to establish the rights of citizens of this State to carry on their business in all parts thereof," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof, as follows:

AYES 77.

NOES 29.

Those who voted in the affirmative, were

ALLEN	DAY	JONES	PALMER	SKINNER
ALVORD	DEYOE	KEEGAN	PARKER	STORY
BEARD	DUELL	KELLOGG	PATTENGILL	SUTHERLAND
BERGEN	FISH	KERN	CICERO C. PECK	E. TAYLOR
BERRY	FLYNN	LANGNER	DEWITT C. PECK	TERRY
BOUCK	FOSTER	LOWING	POOL	VALENTINE
BRUNDAGE	GILBERT	MAPES	PRESCOTT	WADSWORTH
CASE	GRIGGS	MATTISON	REYNOLDS	WAKELY
CHAPPELL	HAMILTON	MEKEEL	ROWLAND	WARING
CHASE	HAVENS	S. V. R. MILLER	SAWYER	WEMPLE
CLANCY	J. HAYES	MOLLER	SEARING	WILBOR
CLAPP	HENRY	MOOERS	SEWELL	WILLERS
CLARK	HEPBURN	MEYENBORG	SHANLEY	WILLIS
CONVERSE	HOBBIE	NELSON	SHEARD	WINCH
COSAD	HULME	NORTH	SHELDON	WORTH
CURRAN	HURD			

Those who voted in the negative, were

BAKER	DALY	HALLIDAY	NEILSON	SEEBACHER
BATHE	FITZGERALD	I. I. HAYES	NIVEN	THAIN
BERRIGAN	FRANK	HOLAHAN	PATTERSON	THOMSON
BROOKS	GALVIN	HOYT	PIPER	TOWNSLEY
BROWNING	GRADY	LOVELAND	PURDY	WILLIAMS
CORMACK	GRAHAM	MCDONOUGH	ROBERTS	

Mr. Speaker presented a communication from the Superintendent of the Bank Department, in response to a resolution of the Assembly, relative to the measures adopted by other States for dealing with embarrassed or insolvent savings banks in such States.

On motion of Mr. Clapp, said report was laid upon the table and ordered printed.

(See Doc. No. 126.)

On motion of Mr. Wakely, and by unanimous consent, Assembly bill entitled "An act to legalize the acts and proceedings of David P. Brooks, a justice of the peace of the town of Hume, Allegany county," was ordered to a third reading.

By unanimous consent,

Mr. Browning offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill No. 530, entitled "An act for the better protection of the mechanics of this State by regulating the use of convict labor in the several prisons of the State, and for other purposes," be referred to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

By unanimous consent,

Mr. Wemple offered, for the consideration of the House, a resolution in the words following :

Resolved, That Senate bill No. 128, entitled "An act to classify the board of trustees of the Clinton Liberal Institute, and to provide for the election of said trustees," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord moved that Assembly bill entitled "An act to revise and consolidate the several acts relating to the support and care of State paupers, and to provide for the employment at labor of certain vagrant and idle persons," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

Mr. Purdy moved that Senate bill No. 229, entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

By unanimous consent,

Mr. Purdy, offered for the consideration of the House, a resolution in the words following :

Resolved, That Senate bill No. 51, being an act entitled "An act to amend chapter 430 of the Laws of 1874, entitled 'An act to facilitate the reorganization of railroads sold under mortgage, and providing for

the formation of new companies in such cases,'” be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Holahan moved to reconsider the vote by which the motion to refer the Assembly bill entitled “An act for the better protection of the mechanics of this State, by regulating the use of convict labor in the several prisons of the State, and for other purposes,” to the first committee of the whole not full, was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof, as follows :

AYES 72.

NOES 16.

Those who voted in the affirmative, were

ALLEN	CROWLEY	HENRY	MOERS	SEWELL
BAKER	CURRAN	HEPBURN	MEYENBORG	SHANLEY
BATHE	DAY	HOBBIE	NELSON	SLITER
BEARD	DOUGLASS	HOLAHAN	NIVEN	STRACK
BERGEN	FITZGERALD	HOYT	NORTH	E. TAYLOR
BERRIGAN	FLOYD-JONES	JONES	PATTENGILL	TERRY
BROOKS	FLYNN	KEATOR	PATTERSON	THAIN
BROWNING	FOSTER	KEEGAN	POOL	THOMSON
BRUNDAGE	FRANK	LANGNER	PRESCOTT	WARING
BURNS	GALVIN	LOVELAND	PURDY	WEMPLE
CHAPPELL	GRADY	MAPES	REYNOLDS	WHEELER
CHASE	GRAHAM	MCDONOUGH	ROWLAND	WILBOR
CLANCY	HALLIDAY	MEAD	SEARING	WILLERS
CONVERSE	HAMILTON	MOLLER	SEEBACHER	WORTH
CORMACK	HAVENS			

Those who voted in the negative, were

ALVORD	GRIGGS	S. V. R. MILLER	SHEARD	SUTHERLAND
CASE	HULME	PALMER	SHELDON	WADSWORTH
FISH	MEKEEL	DEWITT C. PECK	SKINNER	WILLIS
GILBERT				

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate returned the following entitled bills, with a message that they have non-concurred in the passage of the same :

“An act to authorize the common council of the city of New York to change the name of the ‘Boulevard’ in that city.”

“An act in relation to the government of Long Island City.”

The Senate returned the bill entitled “An act to facilitate the collection of unpaid taxes in Long Island City,” with a message that they had concurred in the passage of the same, with the following amendments :

Strike out sections 4 and 5, and insert in lieu thereof the following :

“§ 4. To provide the money required to pay for the lots, pieces, or parcels of land heretofore purchased by Long Island City at any sale of property in said city for unpaid taxes, the mayor and common council of said city are hereby authorized and directed to issue certificates of indebtedness, which shall be called ‘tax certificates,’ and shall bear interest not exceeding the rate of seven per cent per annum, and be payable at the office of the treasurer and receiver of taxes of Long Island City at some date not longer than three years. They shall be signed by the mayor and countersigned by the city clerk, under the seal of the city ; but such

certificates shall not be issued for an amount exceeding the amount required to pay for such lots, pieces, or parcels of land. If the amounts paid for the redemption of such lots, pieces, or parcels of land shall be insufficient at any time to meet tax certificates falling due, or interest on same, other tax certificates shall be issued to meet such deficiency.

"§ 5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, in so far as they relate to Long Island City, and such repeal may be necessary to secure the objects of this act.

"§ 6. This act shall take effect immediately."

The amendments having been read,

Mr. Keegan moved to non-concur in the amendments made to said bill, and asked that a conference committee be appointed on the part of the House, and requested a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee Messrs. Brooks, Keegan, Gilbert, Terry, and North.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon, and request a like committee on the part of the Senate.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to extend the time for the collection of taxes in the town of Brookhaven, in Suffolk county."

"An act to prevent fraud in the manufacture and sale of commercial fertilizers."

"An act to confer additional powers upon corporations organized under chapter 438, Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing,' and the several acts amendatory thereof."

"An act regulating the term of office of supervisors in the counties of Otsego, Steuben and Livingston."

"An act to amend chapter 197 of the Laws of 1864, entitled 'An act to amend the several acts relating to taxes upon dogs, so far as relates to the county of Ontario, and providing for the extension of the provisions thereof to the several counties of the State, by resolution of the respective boards of supervisors.'"

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled "An act in relation to auctioneers," with a message that they had concurred in the passage of the same, with the following amendment:

Section 1, line 4, after the word "property," insert the words "sold upon farms."

The amendment having been read,

Mr. Reynolds moved to non-concur in the amendments made to said bill, and asked that a conference committee be appointed on the part of the House, and requested a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as said committee, on the part of the House, Messrs. Reynolds, Graham, Noyes, Willers, Seebacher.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon, and request a like committee on the part of the Senate.

The Senate returned the bill entitled "An act to provide for a police commission in the town of New Lots, Kings county, and to establish a police force therein," with a message that they had concurred in the passage of the same, with the following amendment:

Section 5, line 2, strike out the word "fifteen," and insert the word "ten."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 78.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HULME	PATTENGILL	STRACK
ALLEN	DALY	HURD	PATTERSON	E. TAYLOR
BEARD	DUELL	JONES	DEWITT C. PECK	TERRY
BERGEN	FISH	KEATOR	PIPER	THAIN
BERRIGAN	FLOYD-JONES	KELLOGG	PRESCOTT	THOMSON
BERRY	FOSTER	LANGNER	PURDY	TOWNSLEY
BOUCK	GALVIN	LOWING	REYNOLDS	VALENTINE
BROOKS	GILBERT	MAPES	ROBERTS	WADSWORTH
BROWNING	GRADY	MCDONOUGH	ROWLAND	WARING
BRUNDAGE	GRIGGS	MEKEEL	SEARING	WILBOR
CASE	HALLIDAY	S. V. R. MILLER	SEEBACHRE	WILLERS
CHAPPELL	HAMILTON	MOLLER	SHANLEY	WILLIAMS
CHASE	I. I. HAYES	MEYENBORG	SHEARD	WILLIS
CLAPP	HEPBURN	NIVEN	SKINNER	WINCH
CLARK	HOBBIE	NOYES	SLITER	WORTH
CONVERSE	HOLAHAN	PALMER		

For the negative,

CORMACK

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to authorize the railroad commissioners of the town of Skaneateles to sell and convey the stock owned by said town in the Skaneateles railroad, and to provide for the disposition of the proceeds thereof," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 6, strike out the words "or private."

Same section, line 7, restore the words "of five or more shares."

Same section, line 9, strike out, from the word "and," down to and including the word "advisable."

Section 5, line 8, strike out, from the word "such," down to and including the end of section.

Section 6, line 4, strike out the words "belonging to the fund."

Same section, line 9, strike out the word "fund," and insert in lieu thereof the words "moneys or security remaining unexpended."

Same section, line 10, strike out the words "the said fund," and insert the words "such moneys and securities."

Same section, line 12, strike out the words "from such fund," and insert the words "of such moneys or delivery of such securities."

Strike out all of section 7, and insert in lieu thereof the following:

"§ 7. The moneys realized from the sale of such stock shall be appropriated and applied by the said supervisor to the payment of the

indebtedness of said town, and to defray the expenditures thereof as such indebtedness and expenditures become due and payable."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87.

NOES 2.

Those who voted in the affirmative, were

ALLEN	CORMACK	HURD	NORTH	STRACK
ALVORD	CURRAN	JONES	PALMER	E. TAYLOR
BAKER	DALY	KEATOR	PARKER	TERRY
BERGEN	DAY	KEEGAN	PATTENGILL	THAIN
BERRIGAN	DUELL	LANGNER	PIPER	THOMSON
BERRY	FISH	LOVELAND	PRESCOTT	TOWNSLEY
BOUCK	FITZGERALD	LOWING	PURDY	VALENTINE
BROOKS	FLOYD-JONES	MATTISON	REYNOLDS	WADSWORTH
BROWNING	FOSTER	MCDONOUGH	ROBERTS	WARING
BRUNDAGE	GALVIN	MEAD	ROWLAND	WEMPLE
CASE	GRADY	MEKEEL	SAWYER	WILBOR
CHAPPELL	GRAHAM	MOLLER	SEARING	WILLERS
CHASE	HAMILTON	MOOERS	SEEBACHER	WILLIS
CLAPP	HENRY	MEYENBORG	SEWELL	WINCH
CLARK	HOBBIE	NELSON	SKINNER	WORTH
CONVERSE	HULME	NIVEN	SLITER	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act relating to the term of office of the supervisors of the counties of Albany and Rensselaer," with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, line 2, strike out the word "and," and insert the word "Livingston."

Line 3, after the word "Rensselaer," insert the words "and Monroe."

Section 2, line 3, strike out the word "and," and insert the word "Livingston;" and after the word "Rensselaer," insert the words "and Monroe."

Amend the title so as to read "An act relating to the term of office of the supervisors of the counties of Albany, Livingston, Rensselaer and Monroe."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOLAHAN	NELSON	SEEBACHER
ALLEN	DALY	HOYT	NIVEN	SEWELL
ALVORD	DAY	HULME	NORTH	SHANLEY
BEARD	DUELL	HURD	PARKER	SKINNER
BERGEN	FISH	JONES	PATTENGILL	STRACK
BERRIGAN	FITZGERALD	KEATOR	CICERO C. PECK	E. TAYLOR
BERRY	FLOYD-JONES	LANGNER	PEEK	TERRY
BOUCK	FLYNN	LOVELAND	PIPER	THOMSON
BROOKS	FOSTER	LOWING	PRESCOTT	TOWNSLEY

BROWNING	GRADY	MCDONOUGH	PURDY	WADSWORTH
BRUNDAGE	GRAHAM	MEAD	REYNOLDS	WARING
CASE	HALLIDAY	MEKEEL	ROBERTS	WEMPLE
CHAPPELL	HAMILTON	S. V. R. MILLER	ROWLAND	WILBOR
CHASE	I. I. HAYES	MOLLER	SAWYER	WILLIS
CLAPP	HEPBURN	MEYENBORG	SEARING	WINCH
CLARK	HOBBIE			

Those who voted in the negative, were

CURRAN DEWITT C. PECK WILLERS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to repeal a part of an act entitled 'An act to repeal certain acts and parts of acts,'" with a message in the words following:

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the bill entitled "An act to repeal a part of an act entitled 'An act to repeal certain acts and parts of acts.'"

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Robertson, and by unanimous consent, the same was amended as follows:

Add, at the end of section 1, as follows:

"And the clerks and assistant clerks, who were such when said repealing act was passed, are continued as though such act had never taken effect; and nothing in this act contained shall abridge or extend the terms of office for which the present clerks and assistant clerks were originally appointed."

And as amended passed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HENRY	MEYENBORG	SHANLEY
ALLEN	CROWLEY	HEPBURN	NELSON	SKINNER
ALVORD	CURRAN	HOBBIE	NIVEN	STORY
BAKER	DALY	HOYT	PALMER	STRACK
BEARD	DAY	HULME	PARKER	E. TAYLOR
BERGEN	DEYOE	HURD	PATTENGILL	TERRY
BERRIGAN	DUELL	JONES	CICERO C. PECK	THOMSON
BERRY	FISH	KEATOR	DEWITT C. PECK	TOWNSLEY
BOUCK	FITZGERALD	KEEGAN	PEEK	VALENTINE
BROOKS	FLOYD-JONES	KERN	PIPER	WADSWORTH
BROWNING	FLYNN	LANGNER	PRESCOTT	WARING
BRUNDAGE	FOSTER	LOVELAND	PURDY	WEMPLE
CASE	GALVIN	MATTISON	REYNOLDS	WILBOR
CHAPPELL	GILBERT	MCDONOUGH	ROBERTS	WILLERS
CHASE	GRADY	MEAD	ROWLAND	WILLIAMS
CLAPP	GRAHAM	MEKEEL	SEARING	WILLIS
CLARK	HAMILTON	S. V. R. MILLER	SEEBACHER	WINCH
CONVERSE	I. I. HAYES	MOLLER		

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HENRY	MOLLER	SKINNER
ALLEN	CURRAN	HEPBURN	MEYENBORG	SLITER
ALVORD	DALY	HOBBIE	NELSON	STRACK
BATHE	DAY	HOLAHAN	NIVEN	E. TAYLOR
BEARD	DEYOE	HOYT	NORTH	TERRY
BERGEN	DOUGLASS	HULME	PALMER	THOMSON
BERRIGAN	DUELL	JONES	PARKER	TOWNSLEY
BERRY	FISH	KEATOR	PATTENGILL	VALENTINE
BOUCK	FLOYD-JONES	KEEGAN	CICERO C. PECK	WADSWORTH
BROOKS	FLYNN	KERN	PEEK	WARING
BROWNING	FOSTER	LANGNER	PIPER	WEMPLE
BRUNDAGE	FRANK	LOVELAND	PRESCOTT	WHEELER
BURNS	GALVIN	LOWING	PURDY	WILBOR
CASE	GILBERT	MATTISON	ROBERTS	WILLERS
CHAPPELL	GRADY	MCDONOUGH	SEARING	WILLIAMS
CHASE	GRAHAM	MEKEEL	SEEBACHER	WILLIS
CLAPP	HAMILTON	S. V. R. MILLER	SHEARD	WORTH
CLARK	I. I. HAYES			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, as amended.

The Senate returned the bill entitled "An act to amend article 5 of title 1, chapter 16 of part 1 of the Revised Statutes," with a message that they had reconsidered the vote on the final passage of said bill, and had passed the same as amended by the Assembly.

Ordered, That the Clerk return said bill to the Senate.

The Senate sent for concurrence the following entitled bills:

"An act to authorize the appointment of a librarian to take charge of the library of the Sixth judicial district, and to provide for the insurance thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the term of office of the keeper of the morgue of Kings county," which was read the first time, and by unanimous consent was also read the second time.

Mr. Meyenborg moved to substitute Assembly bill No. 518, on same subject, now in sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Purdy gave notice that, at some future day, he would move to suspend rule 41, in order that Senate bill No. 229, entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" might be ordered to a third reading without the same being considered in committee of the whole.

Mr. Clapp offered, for the consideration of the House, a resolution in the words following:

Resolved, That Senate bill No. 126, entitled "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charter of all savings banks or institutions for savings to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs,'" be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. S. V. R. Miller moved that Senate bill No. 207, entitled "An act to legalize the State and county taxes in the city of Cohoes, Albany county, for the years 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, and to provide for the collection thereof, and to authorize the sale of lands in the city of Cohoes for unpaid State and county taxes," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mattison offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 452, G. O. 515, entitled "An act to provide for the formation of county co-operative insurance companies," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Daly offered, in behalf of Mr. Astor, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 425, entitled "An act to provide for cleaning the streets in the city of New York," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Hepburn moved to take from the table the favorable report of the sub-committee of the whole on Assembly bill entitled "An act to further amend chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies.'"

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill was ordered engrossed, and to a third reading.

Mr. Henry offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 483, entitled "An act to regulate the rate of compensation to be paid to railroad companies for the transportation of milk," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate returned the following entitled bill:

"An act to repeal a part of an act entitled 'An act to repeal certain acts and parts of acts.'"

Ordered, That the Clerk return said bill to the Senate.

Mr. Speaker announced the order of business, general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to revise and consolidate the several acts relating to the support and care of State paupers, and to provide for the employment at labor of certain vagrant and idle persons."

"An act to establish the rights of citizens of this State to carry on their business in all parts thereof."

Senate, "An act to classify the board of trustees of The Clinton Liberal Institute, and to provide for the election of said trustees."

And after some time spent therein,

The hour of 2 having arrived, Mr. Speaker resumed the chair, and the House took a recess until 4 o'clock and 30 minutes, P. M.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

The House then proceeded in committee of the whole, Mr. Speaker in the chair, and Mr. Pool, from the same committee, reported progress on the above named bills, and asked and obtained leave to sit again.

Mr. Worth moved to discharge the committee of the whole from the further consideration of the second named bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Grady moved to recommit said bill to the committee on affairs of cities, with power to report on Thursday, during or after the afternoon session, said bill retaining its place on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Wemple moved to discharge the committee of the whole from the further consideration of the last named bill, and that the same be ordered to a third reading, with the amendments adopted in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, as follows:

AYES 59.

NOES 37.

Those who voted in the affirmative, were

ABBOTT	CHASE	HAVENS	NEILSON	SUTHERLAND
ALLEN	CLARK	I. I. HAYES	PALMER	E. TAYLOR
ALVORD	CORMACK	HEPBURN	PATTENGILL	J. T. TAYLOR
ANDREWS	CURRAN	HULME	PEEK	WAKELY
BEARD	DALY	HURD	POOL	WARING
BERRY	DAY	LANGNER	PURDY	WEMPLE
BOUCK	FITZGERALD	LOWING	REYNOLDS	WHEELER
BROOKS	FLYNN	MATTISON	ROWLAND	WILLIAMS
BROWNING	FOSTER	MEKEEL	SAWYER	WILIS
BRUNDAGE	FRANK	S. V. R. MILLER	SEWELL	WINCH
CASE	GILBERT	MOLLER	SHANLEY	WORTH
CHAPPELL	GRAHAM	MOOERS	SHEARD	

Those who voted in the negative, were

BATHE	HOBBIE	KERN	PRESCOTT	TERRY
DOUGLASS	HOLAHAN	LOVELAND	PROPER	THAIN
DUELL	HOLBROOK	NELSON	ROBERTS	THOMSON
FLOYD-JONES	HOYT	NIVEN	SEEBACHER	TOWNSLEY
GALVIN	JONES	NORTH	SHELDON	VALENTINE
GRADY	KEATOR	PATTERSON	SKINNER	WILBOR
GRIGGS	KEEGAN	DEWITT C. PECK	STORY	WILLERS
HENRY	KELLOGG			

Said bill was then ordered to a third reading.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of Assembly bill entitled "An act to revise and consolidate the several acts relating to the support and care of State paupers, and to provide for the employment at labor of certain vagrant and idle persons," and that said bill be ordered to a third reading; and upon said motion

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was decided in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion, and it was determined in the affirmative, and said bill was ordered engrossed for a third reading.

The Senate returned the bill entitled "An act in relation to canals," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 8, after the word "record," insert the words "or belonging to the Canal Commissioners' office."

Section 3, line 18, strike out the word "for," and insert in lieu thereof the word "on."

Section 7, line 14, after the word "board," insert the words "until such rules and regulations are submitted to and approved by the Legislature as herein provided, the rules and regulations heretofore adopted by the Canal Board for the navigation or use of the canals which were in force during the year 1877, shall remain and continue in full force and effect."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 5.

Those who voted in the affirmative, were

ABBOTT	DEYOE	HOBBIE	MOOERS	SHELDON
ALLEN	DOUGLASS	HOLBROOK	NEILSON	SKINNER
ALVORD	DUELL	HOYT	NELSON	STORY
ANDREWS	FITZGERALD	HULME	NORTH	SUTHERLAND
BATHE	FLOYD-JONES	HURD	NOYES	E. TAYLOR
BEARD	FOSTER	JONES	PATTENGILL	J. T. TAYLOR
BERRY	FRANK	KEATOR	DEWITT C. PECK	TERRY
BOUCK	GALVIN	KEEGAN	PEEK	VALENTINE
BROOKS	GILBERT	KERN	POOL	WARING
BROWNING	GRADY	LANGNER	PRESCOTT	WEMPLE
BRUNDAGE	GRAHAM	LOWING	PURDY	WHEELER
CASE	HAMILTON	MATTISON	ROWLAND	WILBOR
CHAPPELL	HAVENS	MCDONOUGH	SAWYER	WILLIAMS
CHASE	I. I. HAYES	MEKEEL	SEEBACHER	WILLIS
CLAPP	HENRY	S. V. R. MILLER	SEWELL	WINCH
CORMACK	HEPBURN	MOLLER	SHANLEY	WORTH

Those who voted in the negative, were

CURRAN	KELLOGG	ROBERTS	THAIN	WILLERS
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," with a message that they had agreed to a report of the committee of conference on said bill, in the words following:

To the Legislature :

Your committee of conference, to which was referred the remaining matters in difference between the two Houses upon the Assembly bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," beg leave respectfully to report that they met and duly considered the matters of difference, and have agreed to recommend that the Assembly do concur in the following items and amendments to the bill as proposed and adopted in the Senate (reference in all cases being had to the engrossed bill), viz. :

Page 14, line 8, after the word "necessary," insert the following :
"and for the payment to the commandant of Battery H, for rations furnished to his command at encampment ordered at general headquarters, one hundred and ninety-one dollars and thirty-three cents."

Page 14, after line 10, insert the following :

"For the Adjutant-General, to be apportioned equally among the companies of the Fifty-fourth Regiment, National Guard, in repayment of advances made by them for locks, gun-racks and other fixtures in the State armory at Rochester, three thousand dollars ; and for payment to the separate troop of cavalry, Captain Miller, Twelfth Brigade, National Guard, for moneys paid by it in the purchase of its equipment, three thousand dollars."

And your committee do further recommend that the Assembly do concur in the amendments to the bill, which were adopted in the Senate, and were amended in the conference, so as to read as follows, viz. :

Page 25, after appropriation for the Attorney-General, insert the following :

"For John M. Clancy, for compensation of counsel employed by him in the matter of the contested election for member of assembly in eighteen hundred and seventy-eight, for the First assembly district of the county of Kings, and for other expenses therein, the sum of one thousand eight hundred dollars."

Same page, after item for Charles H. Duell, insert the following :

"For Ambrose H. Purdy, for compensation of counsel employed by him in the matter of the contested election for member of Assembly in eighteen hundred and seventy-eight for the First Assembly district of the county of Westchester, and for other expenses therein, the sum of three thousand dollars."

And your committee have further agreed to recommend that the Senate do recede from the following items and amendments to the bill, as adopted in the Senate :

Page 3, insert after line 14 the following :

"For Chester J. Moore, for services in subpoenaing witnesses in contested seat cases in the Assembly of eighteen hundred and seventy-eight, the sum of three hundred dollars."

Page 26, strike out from line 20 to line 31, both inclusive, as follows :

"For the payment of two years' salary of the arbitrator of the court of arbitration of the chamber of commerce of the city of New York, ending September thirtieth, eighteen hundred and seventy-eight, twenty thousand dollars ; and for the payment of two years' salary of the clerk of said court, for the same period of time, six thousand dollars, pursuant to section six of chapter four hundred and ninety-five of the laws of eighteen hundred and seventy-five, and from and after the said thirtieth day of September, eighteen hundred and seventy-eight, said section six,

and also section twenty-nine of said chapter four hundred and ninety-five, of the laws of eighteen hundred and seventy-five, are hereby repealed."

All of which is respectfully submitted.

HAMILTON HARRIS,
JOHN C. JACOBS,
JAMES H. LOOMIS,
Senate Committee.

THOMAS G. ALVORD,
JAMES HAYES,
JAMES G. GRAHAM,
ERASTUS BROOKS,

(Except as to lockers and gun-racks)

D. W. C. PECK,

(Except as to lockers and gun-racks)

April 30, 1878.

Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the conference committee, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 98.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOBBIE	MEYENBORG	SHANLEY
ALLEN	DALY	HOLAHAN	NEILSON	SHEARD
ALVORD	DAY	HOLBROOK	NELSON	SHELDON
ANDREWS	DOUGLASS	HOYT	NIVEN	SKINNER
BAKER	DUELL	HULME	NORTH	STORY
BATHE	FITZGERALD	HURD	NOYES	E. TAYLOR
BEARD	FLOYD-JONES	JONES	PALMER	J. T. TAYLOR
BERGEN	FLYNN	KEATOR	PATTENGILL	TERRY
BERRIGAN	FOSTER	KEEGAN	PATTERSON	THAIN
BERRY	FRANK	KELLOGG	CICERO C. PECK	THOMSON
BOUCK	GALVIN	KERN	DEWITT C. PECK	VALENTINE
BROOKS	GILBERT	LANGNER	PEEK	WARING
BROWNING	GRADY	LOVELAND	POOL	WEMPLE
BRUNDAGE	GRAHAM	LOWING	PRESCOTT	WHEELER
BURNS	GRIGGS	MAPES	PURDY	WILBOR
CASE	HAMILTON	MCDONOUGH	REYNOLDS	WILLIAMS
CHAPPELL	HAVENS	MEKEEL	SAWYER	WILLIS
CHASE	I. I. HAYES	S. V. R. MILLER	SEEBACHER	WINCH
CLANCY	HENRY	MOLLER	SEWELL	WORTH
CLAPP	HEPBURN	MOOERS		

Those who voted in the negative, were

CORMACK PROPER

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the conference committee.

By unanimous consent,

Mr. Speaker introduced a bill entitled "An act relating to crimes and the punishment thereof; criminal courts; criminal procedure; and prisons and other places of confinement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Speaker presented a memorial of the mayor, aldermen and commonalty of the city of New York in favor of the licensing of street car conductors; which was read and referred to the committee on railroads.

Also, a petition from the Order of the American Union, State of New York; which was read and referred to the committee on public education.

Also, a memorial of L. H. Putnam on the necessity of a national policy to restore harmony in the Southern States; which was read and referred to the committee on the judiciary.

By unanimous consent,

Mr. Brooks presented a memorial of the trustees of the village of New Brighton asking a hearing before the committee on affairs of villages; which was read and referred to the committee on affairs of villages.

Mr. Chase offered, for the consideration of the House, a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return to the Assembly of the bill entitled "An act to extend the time for the collection of taxes in the town of Cherry Valley, in the county of Otsego," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Terry offered, for the consideration of the House, a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting him to return to the Assembly Assembly bill No. 211, entitled "An act to change the location of one of the bridges over the Champlain canal," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Berry presented a report from the sub-committee of the whole; which was laid upon the table and ordered printed.

(See Doc. No. 127.)

On motion of Mr. Alvord, and at 7 o'clock and 15 minutes, the House adjourned.

WEDNESDAY, MAY 1, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Louis A. Son.

The journal of yesterday was read and approved.

A message from the Senate was received and read informing of non-concurrence in the passage of the bill entitled as follows:

"An act to amend an act entitled 'An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange, and Dutchess,' passed April 17, 1854, as amended by chapter 458 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of this State, except the counties of Erie, Kings, Queens, New York, and Onondaga, and as further amended by chapter 489 of the Laws of 1873, and by chapter 551 of the Laws of 1874, and by chapter 233 of the Laws of 1875.'"

A message from the Senate was received and read informing of concurrence in the passage of the following resolutions:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting him to return to the Assembly, the Assembly bill No. 211, entitled "An act to change the location of one of the bridges over the Champlain canal," for amendment.

Resolved (if the Senate concur), That a respectful message be sent to his Excellency the Governor, requesting the return of the Assembly bill entitled "An act to extend the time for the collection of taxes in the town of Cherry Valley, in the county of Otsego," for amendment.

Ordered, That the Clerk deliver said resolutions to the Governor.

The Senate returned the following entitled bills, with a message that they had concurred in the amendments of the Assembly thereto :

"An act for the better protection of dairymen and dealers in milk, and to prevent deception in the sale of milk."

"An act to provide for more completely equipping the National Guard of the State of New York."

Ordered, That the Clerk return said bills to the Senate.

Mr. Speaker and the Clerk, with the consent of the Assembly, referred the following entitled bills to the sub-committee of the whole :

G. O. 427, No. 382, "An act for the better security of life from fire in hotels and other buildings."

G. O. 484, No. 430, "An act to prevent the insolvency of banks and banking associations, and for other purposes."

Senate, G. O. 596, No. 146, "An act to amend chapter 604 of the Laws of 1875, entitled 'An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, or in the bay of New York or Raritan bay, within the jurisdiction of the State of New York,' passed June 18, 1875."

G. O. 591, No. 507, "An act to amend chapter 250 of the Laws of 1849, entitled 'An act in relation to plank and turnpike roads.'"

G. O. 611, No. 521, "An act to transfer the care and control of Bedford avenue, in the city of Brooklyn, to the park commissioners of said city."

G. O. 613, No. 522, "An act to authorize and require the Secretary of State to collect and report labor statistics."

G. O. 616, No. 523, "An act to release to Alice Casey the right, title and interest of the people of the State of New York in and to certain real estate in the town of Dryden, county of Tompkins."

G. O. 626, No. 525, "An act for the preservation of fish, and to prevent the deposit of carrion or any deleterious substances on any fishing ground, or in any rivers, creeks or waters within or adjacent to the county of Kings."

G. O. 627, No. 526, "An act to provide for the preservation of fish in Monroe county."

G. O. 628, No. 527, "An act to authorize the corporation of the city of New York to sell certain lands to the United States, and ceding jurisdiction thereof."

G. O. 630, No. 528, "An act to release the interest of the people of the State of New York in certain real estate in the counties of Greene and Delaware to Julia E. Stewart."

G. O. 641, No. 535, "An act relating to railroads conducted by receivers."

Senate, G. O. 557, No. 133, "An act to further amend chapter 126 of the Laws of 1824, entitled 'An act to incorporate the Society for the

Reformation of Juvenile Delinquents in the city of New York,' passed March 29, 1824, as amended by chapter 241 of the Laws of 1860, passed April 10, 1860."

Senate, G. O. 558, No. 171, "An act to amend chapter 424 of the Laws of 1877, entitled 'An act in relation to the appointment of a State agent for the guidance and employment of discharged convicts.'"

Senate, G. O. 586, No. 52, "An act to provide a salvage corps for the protection of persons and property and against fire, in the city of Brooklyn, and to provide for the maintenance thereof."

Senate, G. O. 609, No. 104, "An act to provide for the support, treatment and care of pauper, destitute and delinquent children."

Senate, 198, G. O. 618, "An act to authorize the Attorney-General, the Superintendent of Public Works and the Superintendent of State Prisons to have official seals."

Senate, G. O. 619, No. 135, "An act relative to the justices of the Supreme Court in the third judicial district."

Senate, 215, G. O. 625, "An act to prevent the avoiding or passing the gate of the Half-moon Bridge Company without payment of toll."

Senate, G. O. 643, No. 261, "An act to facilitate the collection of certain unpaid taxes in the town of Newtown, in the county of Queens."

Senate, G. O. 646, No. 226, "An act to amend chapter 176 of the Laws of 1831, entitled 'An act incorporating the University of the City of New York.'"

Senate, G. O. 649, No. 168, "An act to ratify and confirm the title of Catharine Rasbach to certain lands in the village of Ilion, Herkimer county, New York."

Senate, G. O. 648, No. 141, "An act for the relief of corporations formed under chapter 40 of the Laws of 1848, and acts amendatory thereof, in omitting to file either of the certificates required by the first section of this act."

Senate, G. O. 650, No. 205, "An act to provide for the adjustment and payment of unpaid taxes due the county of Westchester by the towns of West Farms, Morrisania, and Kingsbridge, lately annexed to the city and county of New York."

Senate, G. O. 651, No. 137, "An act to amend chapter 680 of the Laws of 1872, entitled 'An act to amend an act entitled 'An act in relation to wills,' passed April 23, 1864.'"

Senate, G. O. 662, No. 199, "An act to legalize the acts of surrogates and officers acting as such, in granting letters of administration, and to provide for the issuing of such letters in certain cases."

Senate, G. O. 663, No. 179, "An act to authorize the trustees of Emily L. Shepard to convey lands in the city of New York."

Senate, G. O. 664, No. 63, "An act for the relief of Thomas E. Davis."

Senate, G. O. 665, No. 33, "An act to amend section 52 of article 3, title 1, chapter 6, part 2 of the Revised Statutes, providing that devises and bequests in certain cases shall not lapse."

Senate, G. O. 666, No. 7, "An act in relation to the property and families of absconding persons."

Senate, G. O. 673, No. 183, "An act in relation to the Colored Home of the city of New York."

Senate, G. O. 674, No. 55, "An act for the relief of Abel Cook."

A communication was received and read, from the Governor, in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 1, 1878. }

To the Assembly :

In accordance with a joint resolution of the Senate and Assembly, I return, for amendment, Assembly bill No. 211, entitled "An act to change the location of one of the bridges over the Champlain Canal."

L. ROBINSON.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HURD	PARKER	STRACK
ALLEN	CURRAN	JONES	PATTENGILL	E. TAYLOR
ALVORD	DALY	KEATOR	PATTERSON	J. T. TAYLOR
ASTOR	DUELL	KELLOGG	PEEK	TERRY
BAKER	FISH	LANGNER	PIPER	THAIN
BEARD	FLOYD-JONES	LOVELAND	POOL	THOMSON
BERGEN	FLYNN	LOWING	PRESCOTT	VALENTINE
BERRIGAN	GALVIN	MATTISON	REYNOLDS	WADSWORTH
BERRY	GRADY	MCDONOUGH	ROWLAND	WAKELY
BROOKS	GRAHAM	MEKEEL	SAWYER	WARING
BROWNING	GRIGGS	J. H. MILLER	SEARING	WEMPLE
CHAPPELL	HAMILTON	S. V. R. MILLER	SEEBACHER	WILBOR
CLAPP	HAVENS	MEYENBORG	SHEARD	WILLERS
CLARK	HOBBIE	NEILSON	SHELDON	WILLIAMS
CONVERSE	HOYT	NELSON	SKINNER	WILLIS
CORMACK	HULME	NORTH	SLITER	WINCH

On motion of Mr. Terry, and by unanimous consent, said bill was amended by substituting for section 1 the following :

"Section 1. The Superintendent of Public Works is hereby authorized and directed to remove the bridge over the Champlain canal, in the town of Whitehall, Washington county, New York, which has to be passed over in traveling the road leading from the residence of Harvey Bartholomew, in said town, to the highway leading from the village of Whitehall to Comstock's Landing, in said county of Washington, to such point on said canal further north as shall in the judgment of the Superintendent of Public Works make said road as short and direct and practicable as possible ; provided, however, that the owners of land at the point where the new bridge shall be built shall release to the State all claims for damages arising or growing out of the change of location of said bridge or of the building of the new bridge ; and provided further, however, that the expense of such removal, and of the building of the new bridge shall be paid from the ordinary canal repairs fund."

Strike out section 2.

Make section 3 of said bill section 2.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HULME	NOYES	STORY
ALLEN	CORMACK	HURD	PARKER	STRACK
ALVORD	CURRAN	JONES	PATTENGILL	E. TAYLOR
ANDREWS	DALY	KEEGAN	DEWITT C. PECK	J. T. TAYLOR
ASTOR	DUELL	KELLOGG	PEEK	TERRY
BAKER	FISH	KERN	PIPER	THOMSON
BERGEN	FLOYD-JONES	LANGNER	POOL	VALENTINE
BERRY	FLYNN	LOVELAND	PRESCOTT	WADSWORTH
BOUCK	FOSTER	LOWING	REYNOLDS	WAKELY
BROOKS	FRANK	MEAD	ROWLAND	WARING
BROWNING	GALVIN	MEKEEL	SAWYER	WEMPLE
BRUNDAGE	GRADY	J. H. MILLER	SEARING	WILBOR
CASE	GRIGGS	S. V. R. MILLER	SHANLEY	WILLERS
CHAPPELL	HAVENS	MOOERS	SHEARD	WILLIAMS
CLANCY	HEPBURN	NEILSON	SHELDON	WINCH
CLAPP	HOLBROOK	NELSON	SKINNER	WORTH
CLARK	HOYT	NORTH	SLITER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Speaker announced, pursuant to the ninth joint rule, order of business, third reading of bills.

Mr. Brooks moved that all orders of business be laid upon the table, for the purpose of taking up the special order of the day, being the "Memorial and concurrent resolution from the mayor, comptroller, and chairman of the finance committee of the city of New York, and a petition from the Chamber of Commerce, the Importers' and Grocers' Board of Trade, and the Board of Trade and Transportation."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The Senate bill entitled "An act to amend chapter 268 of the Laws of 1877, entitled 'An act in relation to the collection of taxes and the sales of land therefor in certain towns of Queens county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOYT	NEILSON	SLITER
ALLEN	CURRAN	HULME	NORTH	STORY
ALVORD	DALY	HURD	PALMER	E. TAYLOR
ASTOR	DUELL	JONES	PARKER	J. T. TAYLOR
BAKER	FISH	KEATOR	PATTENGILL	TERRY
BEARD	FITZGERALD	KELLOGG	DEWITT C. PECK	THAIN
BERRY	FLOYD-JONES	KERN	PEEK	THOMSON
BROOKS	FOSTER	KING	PIPER	VALENTINE
BROWNING	GALVIN	LANGNER	POOL	WADSWORTH
BRUNDAGE	GRADY	LOVELAND	ROWLAND	WAKELY
CASE	GRIGGS	LOWING	SAWYER	WARING
CHAPPELL	HAMILTON	MEKEEL	SEARING	WEMPLE
CLANCY	HEPBURN	J. H. MILLER	SEEBACHER	WILBOR
CLAPP	HOBBIE	S. V. R. MILLER	SHEARD	WILLERS
CLARK	HOLAHAN	MOLLER	SHELDON	WILLIS
CONVERSE	HOLBROOK	MOOERS	SKINNER	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Brooks moved that said order of business be laid upon the table, for the purpose of taking up the special order of the day, being the "Memorial and concurrent resolution from the mayor, comptroller, and chairman of the finance committee of the city of New York, and a petition from the Chamber of Commerce, the Importers' and Grocers' Board of Trade, and the Board of Trade and Transportation," in the words following :

To the Honorable the Legislature of the State of New York, in Senate and Assembly convened :

May it please your honorable bodies : Your memorialists respectfully represent to your honorable bodies that the producing and commercial interests of the State, and particularly those of the city of New York, have suffered greatly, and are still suffering, by reason of the unjust discriminations and other defects existing in the management of the railroads chartered by the State of New York ; that said railroads are in the habit of carrying freight for the citizens of other States, and also for citizens of foreign countries at lower rates than for citizens of the State of New York ; and, also, that individual citizens of this State are given special privileges and rates, and rates out of all proportion to those charged the public in general.

Details of these abuses are set forth in the appendix to a report of a committee of the Chamber of Commerce, copy of which is herewith submitted, and your memorialists earnestly request that a special committee representing both Houses of the Legislature may be appointed with all necessary powers, whose duty it shall be to investigate these alleged abuses ; to inquire into and report concerning the powers, contracts and obligations of the railroads chartered by this State, and what, if any, legislation is necessary to protect and extend the commerce of our State ; and that said committee be instructed to take testimony in the city of New York, and report by bill or otherwise, during the present or the next session of the Legislature.

Your memorialists would call attention to the fact that the revenues collected by the railroads of this State exceed by more than ten fold the entire revenues of the State derived from taxation, and notwithstanding the overshadowing importance to the public of honest and equitable management of our railroads, and notwithstanding all the changed conditions of the age in which we live, most of them consequent upon the enormous development of this interest, there has been no supervision or regulation of said interest, and but little legislation except that sought by the railroads themselves since these modern highways were in their infancy.

Your memorialists, therefore, pray that a thorough investigation into their management may be at once instituted.

And your memorialists will ever pray.

SAM. D. BABCOCK,

President Chamber of Commerce of the State of New York.

GEO. W. LANE,

President Importers' and Grocers' Board of Trade.

AMBROSE SNOW,

President Board of Trade and Transportation.

NEW YORK, *March 5, 1878.*

Resolved (if the Senate concur), That a special committee of five persons be appointed by the presiding officer of the Senate and Assembly, two by the Senate and three by the Assembly, with power to send for persons and papers, whose duty it shall be to investigate the abuses alleged to exist in the management of the railroads and transportation lines chartered by this State, and to inquire into and report concerning their powers, contracts and obligations; said committee to take testimony in the city of New York and such other places as they may deem necessary, and report to the Legislature, either at the present or the next session, by bill or otherwise, what, if any, legislation is necessary to protect and extend the commerce of the State.

SMITH ELY, JR., *Mayor.*

JOHN KELLY,

Comptroller and Secretary.

WILLIAM R. ROBERTS,

Pres't Board of Aldermen.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Moller moved to amend said resolution as follows :

“Resolved, That the expense of the committee shall not exceed fifteen hundred dollars, to be paid by the comptroller, pro rata to each member, out of any unexpended balances he may have on hand.”

Mr. Fish moved to amend said amendment by striking out the word “comptroller,” and inserting in lieu thereof the words “Chamber of Commerce of the city of New York.”

Mr. Gilbert moved the previous question.

Mr. Speaker put the question, “Shall the main question be now put?” and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Moller, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution as amended, and it was determined in the affirmative, as follows :

AYES 86.

NOES 20.

Those who voted in the affirmative, were

ABBOTT	DALY	HOYT	MEYENBORG	SHELDON
ALLEN	DAY	HURD	NEILSON	SKINNER
BAKER	DUELL	JONES	NELSON	STORY
BATHE	FITZGERALD	KEATOR	NORTH	E. TAYLOR
BEARD	FLOYD-JONES	KEEGAN	NOYES	J. T. TAYLOR
BERRIGAN	FLYNN	KELLOGG	PALMER	TERRY
BERRY	GALVIN	LANGNER	PATTENGILL	THAIN
BOUCK	GILBERT	LOVELAND	PATTERSON	THOMSON
BROOKS	GRADY	LOWING	PIPER	TOWNSLEY
BROWNING	HALLIDAY	MAPES	REYNOLDS	VALENTINE
BRUNDAGE	HAMILTON	MATTISON	ROBERTS	WAKELY
CHAPPELL	I. I. HAYES	MCDONOUGH	SAWYER	WARING
CLANCY	J. HAYES	MEAD	SEARING	WHEELER
CLAPP	HENRY	J. H. MILLER	SEEBACHER	WILLERS
CONVERSE	HEPBURN	S. V. R. MILLER	SEWELL	WILLIAMS
CORMACK	HOBBIE	MOLLER	SHANLEY	WINCH
CROWLEY	HOLAHAN	MOOERS	SHEARD	WORTH
CURRAN				

Those who voted in the negative, were

ALVORD	CHASE	GRIGGS	MEKEEL	PRESCOTT
ASTOR	CLARK	HULME	NIVEN	WADSWORTH
BERGEN	FISH	KERN	DEWITT C. PECK	WILBOR
CASE	FOSTER	KING	POOL	WILLIS

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows :

"An act to amend chapter 575 of the Laws of 1874, entitled 'An act in relation to the Brooklyn, Winfield and Newtown Railway Company.'"

Ordered, That the Clerk deliver said bill to the Governor.

The bill entitled "An act reappropriating money for the payment of sums due to contractors for new work upon, and extraordinary repairs of, the canals," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 53.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CHAPPELL	HEPBURN	J. H. MILLER	SEWELL
ALLEN	CORMACK	HOBBIE	S. V. R. MILLER	SHEARD
ALVORD	DALY	HOYT	MOLLER	SHELDON
ASTOR	DUELL	HULME	MEYENBORG	SKINNER
BAKER	FISH	JONES	DEWITT C. PECK	E. TAYLOR
BATHE	FITZGERALD	KEEGAN	PRESCOTT	J. T. TAYLOR
BERRY	FLOYD-JONES	KING	ROBERTS	THOMSON
BOUCK	FLYNN	LANGNER	ROWLAND	WILLIS
BROOKS	FOSTER	LOVELAND	SAWYER	WINCH
BRUNDAGE	GILBERT	LOWING	SEARING	WORTH
CASE	GRIGGS	MEAD		

For the negative,

BEARD

Mr. Alvord moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act authorizing the Syracuse, Chenango and New York Railroad Company to use, occupy and enjoy the towing path of a portion of the Chenango canal," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOBBIE	MOOERS	SHEARD
ALLEN	CORMACK	HOLAHAN	MEYENBORG	SHELDON
ALVORD	CURRAN	HOLBROOK	NEILSON	SKINNER
ASTOR	DALY	HOYT	NELSON	STRACK
BATHE	DAY	HULME	NIVEN	E. TAYLOR
BEARD	DEYOE	HURD	NORTH	J. T. TAYLOR
BERGEN	DUELL	JONES	NOYES	TERRY
BERRIGAN	FISH	KEATOR	PALMER	THAIN
BERRY	FLOYD-JONES	KEEGAN	PATTERSON	THOMSON
BOUCK	FOSTER	KELLOGG	DEWITT C. PECK	VALENTINE

BROOKS	GILBERT	KERN	POOL	WADSWORTH
BROWNING	HALLIDAY	KING	PRESCOTT	WARING
BRUNDAGE	HAMILTON	LOVELAND	REYNOLDS	WILBOR
BURNS	HAVENS	LOWING	ROWLAND	WILLIAMS
CASE	I. I. HAYES	MAPES	SAWYER	WILLIS
CHASE	J. HAYES	MEKEEL	SEEBACHER	WINCH
CLAPP	HENRY	S. V. R. MILLER	SEWELL	WORTH
CLARK	HEPBURN	MOLLER	SHANLEY	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relating to the board of county canvassers of the city and county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	DEYOE	KEEGAN	DEWITT C. PECK	STRACK
ALLEN	DUELL	KELLOGG	PIPER	E. TAYLOR
ALVORD	FISH	KING	POOL	J. T. TAYLOR
ASTOR	FITZGERALD	LOVELAND	PRESCOTT	TERRY
BATHE	FLOYD-JONES	LOWING	REYNOLDS	THAIN
BEARD	FLYNN	MEKEEL	ROBERTS	THOMSON
BERRY	FOSTER	S. V. R. MILLER	ROWLAND	VALENTINE
BOUCK	HALLIDAY	MOOERS	SAWYER	WADSWORTH
BROOKS	HAVENS	MEYENBORG	SEEBACHER	WEMPLE
BROWNING	HENRY	NEILSON	SEWELL	WHEELER
BRUNDAGE	HOBBIE	NELSON	SHANLEY	WILLERS
CLAPP	HOLAHAN	NIVEN	SHEARD	WILLIAMS
CLARK	HOYT	NOYES	SHELDON	WILLIS
CURRAN	HULME	PALMER	SKINNER	WINCH
DALY	HURD	PATTENGILL	SLITER	WORTH
DAY	JONES			

For the negative,

PATTERSON

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of John McCann," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, three-fifths of all the members elected to the Assembly not being present, as follows :

AYES 68.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DEYOE	HEPBURN	PALMER	SHELDON
ALLEN	DUELL	HOBBIE	PATTENGILL	SKINNER
ALVORD	FISH	HOLAHAN	DEWITT C. PECK	SLITER
ANDREWS	FITZGERALD	HOLBROOK	PIPER	E. TAYLOR
ASTOR	FLOYD-JONES	HOYT	POOL	J. T. TAYLOR
BATHE	FLYNN	HULME	PRESCOTT	THAIN
BEARD	GALVIN	HURD	REYNOLDS	THOMSON
BRUNDAGE	GILBERT	JONES	ROBERTS	VALENTINE
CLAPP	GRADY	KEEGAN	ROWLAND	WADSWORTH
CLARK	GRAHAM	LOVELAND	SAWYER	WARING
CONVERSE	HALLIDAY	MAPES	SEWELL	WILLIAMS
CORMACK	HAVENS	MATTISON	SHANLEY	WILLIS
CURRAN	I. I. HAYES	NELSON	SHEARD	WINCH
DALY	HENRY	NIVEN		

Mr. Flynn moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

Mr. Speaker directed the Clerk to call the roll and ascertain how many members were present, when the following gentlemen answered to their names :

ABBOTT	CORMACK	HEPBURN	MOLLER	SHEARD
ALLEN	CURRAN	HOBBIE	MOOERS	SHELDON
ALVORD	DALY	HOLAHAN	MEYENBORG	SKINNER
ANDREWS	DAY	HOLBROOK	NEILSON	STRACK
ASTOR	DEYOE	HOYT	NIVEN	E. TAYLOR
BAKER	DUELL	HULME	NORTH	J. T. TAYLOR
BATHE	FISH	HURD	NOYES	TERRY
BEARD	FITZGERALD	JONES	PALMER	THAIN
BERGEN	FLOYD-JONES	KEEGAN	PARKER	THOMSON
BERRIGAN	FLYNN	KELLOGG	PATTENGILL	VALENTINE
BERRY	FOSTER	KERN	PATTERSON	WADSWORTH
BOUCK	GALVIN	KING	DEWITT C. PECK	WAKELY
BROOKS	GRADY	LANGNER	PEEK	WARING
BROWNING	GRAHAM	LOVELAND	POOL	WEMPLE
BRUNDAGE	GRIGGS	LOWING	PRESCOTT	WHEELER
CASE	HALLIDAY	MAPES	REYNOLDS	WILBOR
CHASE	HAMILTON	MATTISON	ROBERTS	WILLERS
CLANCY	HAVENS	MCDONOUGH	ROWLAND	WILLIAMS
CLAPP	I. I. HAYES	MEAD	SEARING	WILLIS
CLARK	J. HAYES	MEKEEL	SEEBACHER	WINCH
CONVERSE	HENRY	S. V. R. MILLER	SEWELL	WORTH

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Mr. Flynn moved to take from the table the motion to reconsider the vote by which Assembly bill entitled "An act for the relief of John McCann," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 99.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HURD	PALMER	SLITER
ALLEN	CURRAN	KEATOR	PARKER	STRACK
ALVORD	DALY	KEEGAN	PATTENGILL	E. TAYLOR
ANDREWS	DEYOE	KERN	PATTERSON	J. T. TAYLOR
ASTOR	DUELL	KING	DEWITT C. PECK	TERRY
BAKER	FISH	LANGNER	PEEK	THAIN
BATHE	FLOYD-JONES	LOWING	PIPER	THOMSON
BEARD	FLYNN	MATTISON	POOL	VALENTINE
BERGEN	FOSTER	MCDONOUGH	PRESCOTT	WADSWORTH
BERRIGAN	GALVIN	MEAD	REYNOLDS	WAKELY
BERRY	GILBERT	MEEKEL	ROBERTS	WARING
BOUCK	GRAHAM	J. H. MILLER	ROWLAND	WEMPLE
BROOKS	GRIGGS	S. V. R. MILLER	SAWYER	WHEELER
BROWNING	HALLIDAY	MOLLER	SEARING	WILBOR
BRUNDAGE	HAVENS	MOOERS	SEEBACHER	WILLERS
CASE	J. HAYES	MEYENBORG	SEWELL	WILLIAMS
CHASE	HENRY	NELSON	SHANLEY	WILLIS
CLAPP	HOBBIE	NIVEN	SHEARD	WINCH
CLARK	HOLBROOK	NORTH	SHELDON	WORTH
CONVERSE	HULME	NOYES	SKINNER	

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 107.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOYT	NIVEN	SHELDON
ALLEN	DALY	HULME	NORTH	SKINNER
ALVORD	DEYOE	HURD	NOYES	SLITER
ANDREWS	DUELL	KEATOR	PALMER	STRACK
ASTOR	FISH	KEEGAN	PARKER	E. TAYLOR
BAKER	FLOYD-JONES	KELLOGG	PATTENGILL	J. T. TAYLOR
BATHE	FLYNN	KERN	PATTERSON	TERRY
BEARD	FOSTER	KING	DEWITT C. PECK	THAIN
BERGEN	FRANK	LANGNER	PEEK	THOMSON
BERRIGAN	GALVIN	LOVELAND	PIPER	VALENTINE
BERRY	GILBERT	LOWING	POOL	WADSWORTH
BOUCK	GRADY	MATTISON	PRESCOTT	WAKELY
BROOKS	GRIGGS	MEAD	REYNOLDS	WARING
BROWNING	HALLIDAY	MEKEEL	ROBERTS	WEMPLE
BRUNDAGE	HAMILTON	J. H. MILLER	ROWLAND	WHEELER
CASE	HAVENS	S. V. R. MILLER	SAWYER	WILBOR
CHASE	I. I. HAYES	MOLLER	SEARING	WILLERS
CLAPP	J. HAYES	MOOERS	SEEBACHER	WILLIAMS
CLARK	HENRY	MEYENBORG	SEWELL	WILLIS
CONVERSE	HEPBURN	NEILSON	SHANLEY	WINCH
CORMACK	HOLAHAN	NELSON	SHEARD	WORTH
CROWLEY	HOLBROOK			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. I. I. Hayes moved to take from the table the motion to reconsider the vote by which Assembly bill entitled "An act reappropriating money for the payment of sums due to contractors for new work upon, and extraordinary repairs of, the canals," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 92.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOLAHAN	NELSON	SHELDON
ALLEN	CURRAN	HOLBROOK	NORTH	SKINNER
ALVORD	DALY	HOYT	NOYES	STRACK
ANDREWS	DAY	HULME	PALMER	E. TAYLOR
ASTOR	DUELL	HURD	PARKER	J. T. TAYLOR
BAKER	FISH	KEATOR	PATTERSON	TERRY
BATHE	FLOYD-JONES	KEEGAN	DEWITT C. PECK	THAIN
BERGEN	FOSTER	KELLOGG	PIPER	THOMSON
BERRIGAN	GALVIN	KERN	POOL	VALENTINE
BERRY	GILBERT	KING	PRESCOTT	WADSWORTH
BOUCK	GRADY	LANGNER	REYNOLDS	WAKELY
BROOKS	GRAHAM	LOVELAND	ROBERTS	WEMPLE
BROWNING	GRIGGS	LOWING	ROWLAND	WILBOR
BRUNDAGE	HALLIDAY	MAPES	SAWYER	WILLERS
CASE	HAMILTON	MATTISON	SEARING	WILLIAMS
CHASE	HAVENS	MEKEEL	SEWELL	WILLIS

CLAPP
CLARK
CONVERSE

I. I. HAYES
J. HAYES
HEPBURN

S. V. R. MILLER
MOLLER
SHANLEY
SHEARD

WINCH
WORTH

For the negative,

BEARD

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 90.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HENRY	MEYENBORG	SHELDON
ALLEN	CURRAN	HEPBURN	NEILSON	SKINNER
ALVORD	DALY	HOBBIE	NIVEN	SLITER
ANDREWS	DAY	HOLAHAN	NORTH	E. TAYLOR
ASTOR	DEYOE	HULME	NOYES	J. T. TAYLOR
BAKER	DUELL	HURD	PARKER	TERRY
BATHE	FISH	KEATOR	PATTENGILL	THAIN
BERRIGAN	FLOYD-JONES	KERN	PATTERSON	THOMSON
BERRY	FOSTER	KING	DEWITT C. PECK	VALENTINE
BOUCK	GALVIN	LANGNER	PEEK	WADSWORTH
BROOKS	GILBERT	LOVELAND	PIPER	WAKELY
BROWNING	GRADY	MATTISON	PRESCOTT	WEMPLE
BRUNDAGE	GRIGGS	MCDONOUGH	REYNOLDS	WHEELER
CASE	HALLIDAY	MEAD	ROBERTS	WILBOR
CHASE	HAMILTON	MEKEEL	SAWYER	WILLIAMS
CLAPP	HAVENS	S. V. R. MILLER	SEEBACHER	WILLIS
CLARK	I. I. HAYES	MOLLER	SHANLEY	WINCH
CONVERSE	J. HAYES	MOOERS	SHEARD	WORTH

Those who voted in the negative, were

BEARD CORMACK HOLBROOK

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Parker in the chair.

The bill entitled "An act to amend chapter 862 of the Laws of 1867, entitled 'An act to incorporate the New York Real Estate Exchange,' also chapter 725 of the Laws of 1870, entitled 'An act to incorporate the New York Real Estate Exchange in the city of New York,' passed May 6, 1870, and to incorporate the New York Real Estate Exchange, and to designate the place of judicial sales of real estate in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 90.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	DAY	HOLBROOK!	NELSON	SHEARD
BAKER	DEYOE	HOYT	NIVEN	SHELDON
BATHE	DUELL	HULME	NORTH	SKINNER
BEARD	FISH	JONES	NOYES	E. TAYLOR
BERRIGAN	FITZGERALD	KEATOR	PALMER	J. T. TAYLOR
BERRY	FLOYD-JONES	KEEGAN	PARKER	TERRY
BOUCK	FLYNN	KERN	PATTENGILL	THAIN
BROOKS	FOSTER	KING	PATTERSON	THOMSON

BROWNING	GILBERT	LANGNER	DEWITT C. PECK	VALENTINE
BRUNDAGE	GRAHAM	LOVELAND	PEEK	WAKELY
CASE	HALLIDAY	LOWING	PIPER	WARING
CHASE	HAMILTON	MAPES	POOL	WEMPLE
CLAPP	HAVENS	MATTISON	PRESCOTT	WHEELER
CLARK	I. I. HAYES	MEEKEL	REYNOLDS	WILBOR
CONVERSE	HENRY	S. V. R. MILLER	ROBERTS	WILLERS
CORMACK	HEPBURN	MOLLER	ROWLAND	WILLIS
CURRAN	HOBBIE	MOOERS	SEARING	WINCH
DALY	HOLOHAN	NEILSON	SEEBACHER	WORTH

For the negative,

GRIGGS

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act relating to the assessment for Prospect Park in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 94.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	DALY	HOBBIE	NIVEN	SHELDON
ALVORD	DAY	HOLBROOK	NORTH	SKINNER
ANDREWS	DEYOE	HOYT	PALMER	E. TAYLOR
ASTOR	DOUGLASS	HULME	PARKER	J. T. TAYLOR
BAKER	DUELL	HURD	PATTENGILL	TERRY
BERRY	FISH	JONES	PATTERSON	THAIN
BOUCK	FLOYD-JONES	KEEGAN	DEWITT C. PECK	THOMSON
BROOKS	FLYNN	KERN	PEEK	VALENTINE
BRUNDAGE	FOSTER	KING	PIPER	WADSWORTH
CASE	GILBERT	LANGNER	POOL	WAKELY
CHAPPELL	GRADY	LOVELAND	PRESCOTT	WEMPLE
CHASE	GRAHAM	MAPES	ROBERTS	WHEELER
CLANCY	GRIGGS	MCDONOUGH	ROWLAND	WILBOR
CLAPP	HALLIDAY	MEKEEL	SAWYER	WILLERS
CLARK	HAMILTON	J. H. MILLER	SEARING	WILLIAMS
CONVERSE	HAVENS	S. V. R. MILLER	SEEBACHER	WILLIS
CORMACK	I. I. HAYES	MEYENBOEG	SEWELL	WINCH
CROWLEY	HENRY	NEILSON	SHANLEY	WORTH
CURRAN	HEPBURN	NELSON	SHEARD	

For the negative,

BEARD

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 92.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	NELSON	SHELDON
ALVORD	CURRAN	HOLBROOK	NIVEN	SKINNER
ANDREWS	DALY	HOYT	NORTH	SLITER
ASTOR	DAY	HULME	NOYES	E. TAYLOR
BAKER	DEYOE	JONES	PALMER	J. T. TAYLOR
BATHE	DUELL	KEEGAN	PARKER	TERRY
BEARD	FITZGERALD	KERN	DEWITT C. PECK	THAIN
BERRY	FLOYD-JONES	KING	PEEK	THOMSON
BOUCK	FLYNN	LANGNER	PIPER	VALENTINE
BROOKS	FOSTER	LOVELAND	POOL	WADSWORTH
BROWNING	GALVIN	MAPES	PRESCOTT	WAKELY
BRUNDAGE	GRAHAM	MATTISON	PROPER	WEMPLE
CASE	GRIGGS	MEKEEL	REYNOLDS	WHEELER
CHAPPELL	HALLIDAY	J. H. MILLER	ROBERTS	WILBOR
CHASE	HAMILTON	S. V. R. MILLER	ROWLAND	WILLERS
CLANCY	HAVENS	MOLLER	SAWYER	WILLIAMS
CLAPP	I. I. HAYES	MEYENBORG	SEARING	WILLIS
CLARK	HENRY	NEILSON	SHEARD	WINCH
CONVERSE	HEPBURN			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to open the College of the City of New York to all male persons who shall pass the preliminary examinations for admission therein," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 92.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOBBIE	NEILSON	SEWELL
ALVORD	DALY	HOLAHAN	NELSON	SHANLEY
ANDREWS	DAY	HOLBROOK	NIVEN	SHELDON
ASTOR	DEYOE	HOYT	NORTH	SKINNER
BAKER	DUELL	HULME	NOYES	E. TAYLOR
BATHE	FISH	JONES	PALMER	J. T. TAYLOR
BEARD	FITZGERALD	KEEGAN	PARKER	TERRY
BERRY	FLOYD-JONES	KELLOGG	DEWITT C. PECK	THAIN
BOUCK	FLYNN	KERN	PEEK	THOMSON
BROOKS	FOSTER	LANGNER	PIPER	VALENTINE
BROWNING	GALVIN	LOVELAND	POOL	WADSWORTH
BRUNDAGE	GILBERT	MAPES	PRESCOTT	WEMPLE
CHAPPELL	GRADY	MATTISON	PROPER	WHEELER
CHASE	HALLIDAY	MCDONOUGH	REYNOLDS	WILBOR
CLANCY	HAMILTON	MEKEEL	ROBERTS	WILLERS
CLAPP	HAVENS	J. H. MILLER	SAWYER	WILLIAMS
CLARK	I. I. HAYES	S. V. R. MILLER	SEARING	WILLIS
CONVERSE	J. HAYES	MEYENBORG	SEEBACHER	WORTH
CORMACK	HEPBURN			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to make the office of attorney and counsel to the corporation in Long Island City elective," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 92.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOBBIE	NELSON	SKINNER
ALLEN	CORMACK	HOLBROOK	NIVEN	E. TAYLOR
ALVORD	CURRAN	HOYT	NORTH	J. T. TAYLOR
ANDREWS	DALY	HULME	NOYES	TERRY
ASTOR	DAY	HURD	PALMER	THAIN
BAKER	DEYOE	JONES	PARKER	THOMSON
BATHE	DUELL	KEATOR	PATTENGILL	VALENTINE
BEARD	FISH	KEEGAN	DEWITT C. PECK	WADSWORTH
BERRIGAN	FLOYD-JONES	KELLOGG	PIPER	WAKELY
BERRY	FLYNN	KERN	POOL	WARING
BOUCK	FOSTER	KING	PRESCOTT	WEMPLE
BROOKS	GALVIN	LOVELAND	REYNOLDS	WHEELER
BROWNING	GILBERT	MATTISON	ROBERTS	WILBOR
BRUNDAGE	GRADY	MEKEEL	ROWLAND	WILLERS
CASE	GRIGGS	J. H. MILLER	SEARING	WILLIAMS
CHAPPELL	HALLIDAY	S. V. R. MILLER	SEWELL	WILLIS
CHASE	HAMILTON	MOOERS	SHANLEY	WINCH
CLAPP	HAVENS	NEILSON	SHELDON	WORTH
CLARK	HEPBURN			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to legalize the proceedings of electors of the town of Hermon, St. Lawrence county, in annual town meeting assembled on the 12th day of February, 1878, in relation to the raising of money for the improvement of roads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 90.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOLBROOK	NELSON	SHELDON
ALLEN	CURRAN	HOYT	NIVEN	SKINNER
ALVORD	DALY	HULME	NORTH	SLITER
ANDREWS	DAY	HURD	NOYES	STRACK
ASTOR	DEYOE	JONES	PALMER	E. TAYLOR
BAKER	DUELL	KEATOR	PARKER	THAIN
BEARD	FISH	KEEGAN	CICERO C. PECK	THOMSON
BERGEN	FLYNN	KERN	DEWITT C. PECK	VALENTINE
BERRY	FOSTER	KING	PEEK	WADSWORTH
BOUCK	GALVIN	LOVELAND	PIPER	WARING
BROWNING	GILBERT	LOWING	POOL	WEMPLE
BRUNDAGE	GRADY	MATTISON	PRESCOTT	WHEELER
CASE	GRIGGS	MCDONOUGH	REYNOLDS	WILBOR
CHAPPELL	HAMILTON	MEKEEL	ROBERTS	WILLERS
CHASE	HAVENS	J. H. MILLER	ROWLAND	WILLIAMS
CLAPP	HENRY	S. V. R. MILLER	SEARING	WILLIS
CLARK	HEPBURN	MOOERS	SEWELL	WINCH
CONVERSE	HOBBIE	NEILSON	SHANLEY	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to provide for a better administration of the public charities in the county of Kings, and for the creation of a department of public charities therein."

"An act to incorporate the Greenport Wharf Company."

"An act to amend chapter 739 of the Laws of 1857, entitled 'An act to authorize the formation of town insurance companies.'"

"An act to regulate the quality, supply and price of illuminating gas, and for the protection of manufacturers and consumers thereof."

"An act to amend section 10 of chapter 254 of the Laws of 1847, entitled 'An act concerning the laws, journals and documents of the Legislature.'"

"An act to repeal subdivision 18 of section 21, of chapter 406 of the Laws of 1873, relating to licenses of saloons and eating-houses in the city of Ogdensburgh."

"An act for the removal of refuse matter in the city of New York."

"An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the national guard of the State of New York, and for the public defense, and entitled the Military Code.'"

The Senate bill entitled "An act to change the boundary of the village of Hempstead, in the county of Queens," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor hereof, and three-fifths being present, as follows :

AYES 89.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CLARK	HOBBIE	MEYENBORG	SHELDON
ALLEN	CONVERSE	HOLAHAN	NEILSON	SKINNER
ALVORD	CORMACK	HOLBROOK	NELSON	STRACK
ANDREWS	CURRAN	HOYT	NIVEN	E. TAYLOR
ASTOR	DALY	HURD	NORTH	J. T. TAYLOR
BAKER	DAY	JONES	NOYES	THAIN
BATHE	DEYOE	KEATOR	PALMER	THOMPSON
BEARD	FISH	KERN	PARKER	VALENTINE
BERGEN	FITZGERALD	KING	DEWITT C. PECK	WADSWORTH
BERRIGAN	FLOYD-JONES	LANGNER	PEEK	WARING
BERRY	FOSTER	LOVELAND	PIPER	WEMPLE
BROOKS	GALVIN	MATTISON	POOL	WILBOR
BROWNING	GILBERT	MCDONOUGH	PRESCOTT	WILLERS
BRUNDAGE	GRIGGS	MEAD	REYNOLDS	WILLIAMS
BURNS	HAMILTON	MEKEEL	ROBERTS	WILLIS
CASE	HAVENS	J. H. MILLER	ROWLAND	WINCH
CHAPPELL	I. I. HAYES	MOLLER	SEARING	WORTH
CHASE	HEPBURN	MOOERS	SHEARD	

For the negative,

KEEGAN

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to provide for a better administration of the public charities in the county of Kings, and for the creation of a department of public charities therein," having been announced for a third reading,

Mr. Clancy moved to recommit said bill to the committee on affairs of cities, with power to report at any time, said bill retaining its place on third reading of bills.

Mr. Shanley moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Clancy, and it was determined in the affirmative.

A communication was received and read from the Governor in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 1, 1878. }

To the Assembly :

In accordance with a joint resolution of the Senate and Assembly, I return, for amendment, Assembly bill, not printed, entitled "An act to extend the time for the collection of taxes in the town of Cherry Valley, in the county of Otsego." L. ROBINSON.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 90. NOES 00.

Those who voted in the affirmative, were

ALLEN	CLARK	HENRY	S. V. R. MILLER	SEEBACHER
ALVORD	CONVERSE	HOBBIE	MOLLER	SHANLEY
ANDREWS	CORMACK	HOLBROOK	MOORS	SHELDON
ASTOR	DALY	HOYT	NELSON	SKINNER
BAKER	DAY	HULME	NIVEN	SLITER
BATHE	DEYOE	JONES	NORTH	E. TAYLOR
BEARD	DELL	KEATOR	PALMER	J. T. TAYLOR
BERGEN	FISH	KEEGAN	PARKER	THAIN
BERRIGAN	FITZGERALD	KELLOGG	DEWITT C. PECK	THOMSON
BERRY	FLOYD-JONES	KERN	PEEK	WADSWORTH
BROOKS	FLYNN	KING	PIPER	WAKELY
BROWNING	FOSTER	LANGNER	POOL	WARING
BRUNDAGE	GALVIN	LOVELAND	PRESCOTT	WEMPLE
BURNS	GRADY	LOWING	PROPER	WILBOR
CASE	GRAHAM	MATTISON	ROBERTS	WILLERS
CHAPPELL	HALLIDAY	MCDONOUGH	ROWLAND	WILLIS
CHASE	HAMILTON	MEKEEL	SAWYER	WINCH
CLANCY	HAVENS	J. H. MILLER	SEARING	WORTH

On motion of Mr. Chase, and by unanimous consent, said bill was amended in the words following :

"§ 2. The collector of taxes of said town shall pay over all moneys collected by him, and renew his bond as in such cases now provided by law."

Change section 2 so as to read section 3.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 90. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLANCY	HOBBIE	MEYENBORG	SKINNER
ALLEN	CLARK	HOLBROOK	NIVEN	SLITER
ALVORD	CONVERSE	HULME	NORTH	STRACK
ANDREWS	CORMACK	HURD	NOYES	E. TAYLOR
ASTOR	DALY	JONES	PARKER	J. T. TAYLOR
BAKER	DAY	KEATOR	PATTENGILL	TERRY
BATHE	DEYOE	KEEGAN	DEWITT C. PECK	THAIN

BEARD	DUELL	KELLOGG	PIPER	THOMSON
BERGEN	FISH	KERN	POOL	VALENTINE
BERRIGAN	FLOYD-JONES	KING	PRESCOTT	WADSWORTH
BERRY	FLYNN	LANGNER	PROPER	WAKELY
BROOKS	FOSTER	LOVELAND	REYNOLDS	WARING
BROWNING	GRADY	LOWING	ROBERTS	WIMPLE
BRUNDAGE	GRIGGS	MEAD	ROWLAND	WILBOR
BURNS	HALLIDAY	J. H. MILLER	SEEBACHER	WILLERS
CASE	HAMILTON	S. V. R. MILLER	SEWELL	WILLIS
CHAPPELL	HAVENS	MOLLER	SHEARD	WINCH
CHASE	HEPBURN	MOOERS	SHELDON	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker in the chair.

The Private Secretary of the Governor appeared before the bar of the House, and presented three several messages in the following words :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 1, 1878.

To the Assembly :

I return, without approval, Assembly bill No. 326, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' so far as the same relates to the village of Northville, in the county of Fulton."

The chief objection to this bill is, that it is an attempt to evade the operation of the general law by an amendment, the effect of which is limited to a single village. It is a simple evasion of the general statute and the constitutional policy of the State, and is fairly equivalent to a violation of both. Several bills, exactly similar, were passed and vetoed at the last session of the Legislature. Since the adoption of the constitutional amendments forbidding special charters to villages, a number of such bills have been introduced in the Legislature, but have uniformly been defeated in the Legislature, or vetoed by the executive.

Besides this general objection, the matters sought to be regulated by the amendment are within the power of the board of supervisors of the county of Fulton. I know of no reason why, in the case of this single village, they should be taken from the supervisors and made the subject of a special legislative authority in the trustees.

L. ROBINSON.

Mr. Griggs moved that said message, with bill, be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 1, 1878.

To the Assembly :

I return without approval Assembly bill No. 266, entitled "An act to amend chapter 118 of the Laws of 1873, entitled 'An act to provide for the construction and improvement of the road from Piseco Lake to Clafin's tannery, in the county of Hamilton.'"

The act sought to be amended by the present bill was passed on the 22d of March, 1873, and provided that it should remain in force for five years. It therefore expired on the 22d of March last. The present bill revives it and declares that it shall remain in force for ten years. The simple effect is to re-enact the law for five years to come. Since the bill

was passed, the Constitution has been amended by adding the provisions of the eighteenth section of the third article, one of which is, that the Legislature shall not pass a private or local bill laying out, opening, altering, working or discontinuing roads, highways or alleys. The present bill is clearly in conflict with this provision of the Constitution, and would be a nullity if it were approved. As to its constitutionality, it differs in no respect from an original act providing for the construction of the road in question.

L. ROBINSON.

Mr. Griggs moved that said bill and message be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 1, 1878. }

To the Assembly:

I return without approval Assembly bill No. 171, entitled "An act to create a board of alms, and to secure the better application of funds to relieve the poor in the town of German Flats, in the county of Herkimer."

This bill seeks to create a board of three persons, consisting of the supervisor of the town of German Flats and the presidents of two villages in that town, to oversee the administration of the poor laws in that town. It provides for the appointment of an overseer of the poor by the board of alms created by it, and abolishes the statutory office of overseer in that town, in effect substituting the newly created overseer for the office now provided for by the general poor law. It commits the relief of the poor to officers chosen for other purposes by part of the inhabitants of the town only. It provides that they may audit and allow their own claims for services. It authorizes them to provide labor for all persons who apply for relief, and to pay for such labor.

The first fault of the bill is, that it appoints a board of town auditors in plain violation of the Constitution. Besides this defect, I cannot see any reason for the enactment of a local and special law making this one town an exception to the entire State in the system of public relief to the poor, while the most superficial reading will suggest very grave evils which are likely to result from it. It is a most evil example of special legislation. If the Legislature deem it wise to alter the provision in regard to the care of our poor, it should be done by general laws, and after the most careful study. The method proposed for this town is, so far as I can recollect, without precedent.

L. ROBINSON.

Mr. Sheard moved that said bill, with message, be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the bill entitled as follows:

"An act for the relief of George W. Spencer, late clerk of the county of Yates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to incorporate the Greenport Wharf Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	FLYNN	KEEGAN	PATTENGILL	STRACK
ASTOR	FOSTER	KELLOGG	DEWITT C. PECK	SUTHERLAND
BERRY	FRANK	KERN	PEEK	E. TAYLOR
BRUNDAGE	GALVIN	KING	POOL	J. T. TAYLOR
CASE	GRAHAM	LANGNER	PRESCOTT	TERRY
CHAPPELL	GRIGGS	LOVELAND	REYNOLDS	THAIN
CHASE	HALLIDAY	MAPES	ROBERTS	THOMSON
CLANCY	HAVENS	MATTISON	ROWLAND	TOWNSLEY
CLARK	I. I. HAYES	MCDONOUGH	SAWYER	VALENTINE
CURRAN	HEPBURN	MEAD	SEARING	WADSWORTH
DALY	HOBBIE	MOLLER	SEEBACHER	WAKELY
DAY	HOLBROOK	MOOERS	SEWELL	WEMPLE
DEYOE	HOYT	MEYENBORG	SHANLEY	WILBOR
DUELL	HULME	NIVEN	SHEARD	WILLIAMS
FISH	HURD	NORTH	SHELDON	WILLIS
FITZGERALD	JONES	NOYES	SKINNER	WINCH
FLOYD-JONES	KEATOR	PALMER	SLITER	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 739 of the Laws of 1857, entitled 'An act to authorize the formation of town insurance companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87.

NOES 1.

Those who voted in the affirmative, were

ALVORD	DALY	HOLBROOK	NEILSON	SHEARD
ANDREWS	DEYOE	HOYT	NELSON	SHELDON
ASTOR	DUELL	HULME	NORTH	SKINNER
BAKER	FISH	HURD	PALMER	STORY
BERRIGAN	FITZGERALD	JONES	PATTENGILL	E. TAYLOR
BERRY	FLOYD-JONES	KELLOGG	PATTERSON	J. T. TAYLOR
BROOKS	FLYNN	KERN	PEEK	TERRY
BROWNING	FOSTER	KING	PIPER	THAIN
BRUNDAGE	GALVIN	LANGNER	POOL	VALENTINE
BURNS	GRIGGS	LOVELAND	PRESCOTT	WADSWORTH
CASE	HALLIDAY	MATTISON	REYNOLDS	WAKELY
CHAPPELL	HAMILTON	MEAD	ROBERTS	WEMPLE
CLANCY	HAVENS	MEKEEL	ROWLAND	WILBOR
CLAPP	I. I. HAYES	J. H. MILLER	SAWYER	WILLERS
CLARK	HENRY	S. V. R. MILLER	SEARING	WILLIAMS
CONVERSE	HEPBURN	MOLLER	SEEBACHER	WINCH
CORMACK	HOBBIE	MOOERS	SEWELL	WORTH
CURRAN	HOLAHAN			

For the negative,

GRAHAM

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the quality, supply, and price of illuminating gas, and for the protection of manufacturers and consumers thereof," having been announced for a third reading,

Mr. Alvord moved that said bill be recommitted to the committee on affair of cities, with instructions to strike out the enacting clause; and upon that motion

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the negative, as follows:

AYES 25.

NOES 53.

Those who voted in the affirmative, were

ALVORD	CLAPP	HOLBROOK	LOWING	SHELDON
BAKER	CLARK	HULME	J. H. MILLER	THAIN
BROWNING	DEYOE	JONES	DEWITT C. PECK	THOMSON
CASE	FOSTER	KERN	REYNOLDS	WADSWORTH
CHAPPELL	GRIGGS	KING	SAWYER	WILLIS

Those who voted in the negative, were

BERGEN	DAY	HOBBIE	MOORS	SHANLEY
BERRIGAN	FISH	HOLAHAN	MEYENBORG	SHEARD
BROOKS	FITZGERALD	KEATOR	NELSON	SKINNER
BURNS	FLOYD-JONES	KEEGAN	NIVEN	E. TAYLOR
CHASE	FLYNN	KELLOGG	PATTERSON	J. T. TAYLOR
CLANCY	GALVIN	LANGNER	PIPER	TERRY
CONVERSE	GRADY	LOVELAND	PRESCOTT	WARING
CORMACK	GRAHAM	MAPES	ROBERTS	WEMPLE
CROWLEY	HAVENS	MCDONOUGH	SEARING	WILLERS
CURRAN	J. HAYES	MEAD	SEWELL	WORTH
DALY	HENRY	MOLLER		

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 39.

NOES 31.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HENRY	MOLLER	ROBERTS
ALLEN	CURRAN	HEPBURN	MEYENBORG	SEARING
BERGEN	DAY	HOLAHAN	NELSON	SHEARD
BERRIGAN	FLOYD-JONES	KEATOR	NIVEN	SKINNER
CHAPPELL	GALVIN	KEEGAN	NORTH	VALENTINE
CLANCY	GRADY	LANGNER	PATTERSON	WILLERS
CONVERSE	HAVENS	LOWING	PIPER	WORTH
CORMACK	J. HAYES	MCDONOUGH	PRESCOTT	

Those who voted in the negative, were

ALVORD	FISH	JONES	DEWITT C. PECK	THAIN
BAKER	FOSTER	KELLOGG	PEEK	THOMSON
CASE	GRAHAM	KERN	POOL	WADSWORTH
CLAPP	HOLBROOK	KING	SHELDON	WAKELY
CLARK	HOYT	LOVELAND	E. TAYLOR	WILLIAMS
DEYOE	HULME	MEKEEL	J. T. TAYLOR	WILLIS
DUELL				

Mr. Alvord moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, as follows:

AYES 75.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	DALY	HOYT	PATTENGILL	TERRY
ALVORD	DAY	HULME	PATTERSON	THAIN
BAKER	DUELL	KING	DEWITT C. PECK	THOMSON

BERGEN	FITZGERALD	LANGNER	PEEK	TOWNSLEY
BERRY	FLOYD-JONES	LOVELAND	POOL	VALENTINE
BOUCK	FLYNN	LOWING	PRESCOTT	WADSWORTH
BROOKS	FOSTER	MATTISON	REYNOLDS	WAKELY
CASE	GALVIN	J. H. MILLER	ROBERTS	WARING
CHAPPELL	GRADY	MOLLER	SAWYER	WEMPLE
CLAPP	GRAHAM	MOOERS	SEEBACHER	WHEELER
CLARK	HALLIDAY	MEYENBORG	SHEARD	WILBOR
CONVERSE	I. I. HAYES	NELSON	SHELDON	WILLERS
CORMACK	HEPBURN	NIVEN	STORY	WILLIS
CROWLEY	HOBBIE	NORTH	E. TAYLOR	WINCH
CURRAN	HOLBROOK	NOYES	J. T. TAYLOR	WORTH

Those who voted in the negative, were

JONES SKINNER

Mr. Alvord moved to recommit said bill to the committee on affairs of cities, with power to report at any time, said bill retaining its place on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend chapter eighty of the Laws of 1870, entitled, 'An act to provide for the enrollment of the militia, for the organization of the national guard of the State of New York, and for the public defense, and entitled the Military Code,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	HOLAHAN	MEYENBORG	E. TAYLOR
ALVORD	DAY	HOLBROOK	NELSON	J. T. TAYLOR
ANDREWS	DEYOE	HOYT	NELSON	TERRY
ASTOR	DUELL	HULME	NIVEN	THAIN
BAKER	FISH	JONES	NORTH	THOMSON
BERGEN	FITZGERALD	KEEGAN	NOYES	TOWNSLEY
BERRIGAN	FLOYD-JONES	KELLOGG	PALMER	VALENTINE
BERRY	FLYNN	KERN	DeWITT C. PECK	WADSWORTH
BROOKS	FOSTER	KING	PIPER	WAKELY
BROWNING	GALVIN	LANGNER	POOL	WARING
CASE	GILBERT	LOVELAND	PRESCOTT	WEMPLE
CHAPPELL	GRIGGS	LOWING	REYNOLDS	WILBOR
CLANCY	HALLIDAY	MAPES	SEEBACHER	WILLIAMS
CLAPP	HAMILTON	MATTISON	SEWELL	WILLIS
CONVERSE	HAVENS	J. H. MILLER	SHEARD	WINCH
CORMACK	I. I. HAYES	S. V. R. MILLER	SHELDON	WORTH
CROWLEY	HENRY	MOLLER	SKINNER	SPEAKER
CURRAN	HOBBIE	MOOERS		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to amend section 10 of chapter 254 of the Laws of 1847, entitled 'An act concerning the laws, journals and documents of the Legislature,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOLAHAN	NELSON	SKINNER
ALLEN	DALY	HOLBROOK	NIVEN	SLITER
ALVORD	DAY	HOYT	NOYES	E. TAYLOR
ANDREWS	DEYOE	HULME	PALMER	J. T. TAYLOR
BAKER	DUELL	HURD	PATTERSON	TERRY
BERGEN	FISH	JONES	DEWITT C. PECK	THAIN
BERRIGAN	FITZGERALD	KELLOGG	PEEK	THOMSON
BERRY	FLOYD-JONES	KERN	PIPER	VALENTINE
BROOKS	FLYNN	KING	POOL	WADSWORTH
BROWNING	FOSTER	LANGNER	PRESCOTT	WAKELY
BRUNDAGE	GALVIN	LOVELAND	ROWLAND	WARING
BURNS	GRAHAM	LOWING	SAWYER	WEMPLE
CASE	GRIGGS	MATTISON	SEARING	WILBOR
CHAPPELL	HALLIDAY	MEKEEL	SEEBACHER	WILLIAMS
CLANCY	HAMILTON	J. H. MILLER	SEWELL	WILLIS
CLARK	I. I. HAYES	MOLLER	SHANLEY	WINCH
CONVERSE	HEPBURN	MOOERS	SHEARD	WORTH
CROWLEY	HOBBIE	MEYENBORG	SHELDON	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal sub-division 18 of section 21 of chapter 406 of the Laws of 1873, relating to licenses of saloons and eating-houses in the city of Ogdensburgh," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 92.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HEPBURN	MEYENBORG	STORY
ALLEN	CROWLEY	HOBBIE	NEILSON	E. TAYLOR
ALVORD	CURRAN	HOLBROOK	NELSON	J. T. TAYLOR
ANDREWS	DALY	HOYT	NORTH	TERRY
ASTOR	DAY	HULME	NOYES	THAIN
BAKER	DEYOE	HURD	PALMER	THOMSON
BEARD	DOUGLASS	JONES	PATTERSON	VALENTINE
BERGEN	DUELL	KEEGAN	DEWITT C. PECK	WADSWORTH
BERRY	FISH	KELLOGG	PEEK	WAKELY
BOUCK	FITZGERALD	KERN	POOL	WARING
BROOKS	FLOYD-JONES	KING	PRESCOTT	WEMPLE
BROWNING	FOSTER	LANGNER	SAWYER	WHEELER
BRUNDAGE	GALVIN	LOVELAND	SEARING	WILBOR
CASE	GILBERT	LOWING	SEEBACHER	WILLERS
CHAPPELL	GRAHAM	MAPES	SEWELL	WILLIAMS
CLANCY	GRIGGS	MATTISON	SHEARD	WILLIS
CLAPP	HALLIDAY	J. H. MILLER	SHELDON	WINCH
CLARK	I. I. HAYES	MOOERS	SKINNER	WORTH
CONVERSE	HENRY			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the removal of refuse matter in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CLARK	HOBBIE	NIVEN	SLITER
ALLEN	CORMACK	HOYT	NORTH	E. TAYLOR
ALVORD	CROWLEY	HULME	PALMER	J. T. TAYLOR
ANDREWS	CURRAN	JONES	PARKER	TERRY
ASTOR	DALY	KEEGAN	PATTENGILL	THOMSON
BAKER	DAY	KELLOGG	DEWITT C. PECK	TOWNSLEY
BERGEN	DEYOE	KERN	PEEK	VALENTINE
BERRIGAN	DUELL	KING	PIPER	WADSWORTH
BERRY	FLOYD-JONES	LANGNER	PRESCOTT	WAKELY
BOUCK	FLYNN	LOVELAND	ROWLAND	WARING
BROOKS	FOSTER	LOWING	SAWYER	WEMPLE
BROWNING	GALVIN	MAPES	SEARING	WILLIAMS
BRUNDAGE	GILBERT	MATTISON	SEWELL	WILLIS
CHAPPELL	GRIGGS	MEKEEL	SHEARD	WINCH
CLANCY	HALLIDAY	MOOERS	SHELDON	WORTH
CLAPP	HAVENS	NELSON	SKINNER	

For the negative,

BEARD FISH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Henry introduced a bill entitled "An act in relation to filing notes of issue with the county clerk of Kings county, and fixing the compensation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Clancy introduced a bill entitled "An act to confer on boards of supervisors of the several counties of this State further powers of local legislation and administration," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Meyenborg introduced a bill entitled "An act to regulate the publication of advertisements in and for the city of Brooklyn and county of Kings, and to terminate the addition of a two per cent tax to local assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Waring introduced a bill entitled "An act allowing the continued use of a business name or designation in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Daly introduced a bill entitled "An act to provide for the payment and cancellation of certain bonds and stocks of the city of New York, and for the issue of other bonds for that purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.

Mr. Baker introduced a bill entitled "An act to alter the map or plan of the city of New York by providing for the reopening, extension and opening of a part of Bloomingdale road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Alvord introduced a bill entitled "An act in relation to the repaving of streets in the city of Syracuse, and to amend the charter of

said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

Also, a bill entitled "An act in relation to the public lands in the Adirondack wilderness," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Mattison introduced a bill entitled "An act to provide for the resignation of executors, administrators and general guardians appointed by surrogates of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Case introduced a bill entitled "An act to amend chapter 75 of the Laws of 1878, entitled 'An act in relation to the bonded indebtedness of villages, cities, towns and counties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Chase, and by unanimous consent, said bill was ordered printed.

Mr. Floyd-Jones introduced a bill entitled "An act to amend chapter 303 of the Laws of 1877, entitled 'An act further to amend chapter 502 of the Laws of 1869, entitled An act to amend an act entitled An act to amend an act entitled An act to incorporate the village of Flushing,' passed April 15, 1837, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Floyd-Jones, and by unanimous consent, said bill was ordered to a third reading.

Mr. Havens introduced a bill entitled "An act to amend chapter 411, Laws of 1877, entitled 'An act to further amend chapter 721, Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Also, a bill entitled "An act to amend chapter 173 of the Laws of 1874, entitled 'An act to fix the time for transacting the business of the town at the annual town meeting for the election of town officers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Terry introduced a bill entitled "An act in regard to recognizances in criminal cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Clark introduced a bill entitled "An act to confer on the board of supervisors of the county of Yates powers of local legislation for the protection and preservation of birds, game and fish within the territorial jurisdiction of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Kern introduced a bill entitled "An act in relation to assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Bergen introduced a bill entitled "An act relating to the powers of the powers of the board of commissioners of charities of the county of Kings, and to provide means for the meeting of a deficiency in the salary account of said board for the present fiscal year," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Wemple introduced a bill entitled "An act to amend chapter 175 of the Laws of 1875, entitled 'An act to regulate the sale of baled hay and straw in the State of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Browning offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the consideration of Senate bill 226, entitled "An act to amend chapter 176 of the Laws of 1831, entitled 'An act incorporating the University of the City of New York,' and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Sliter presented a petition of merchants and others of the city of Albany for the change of the location of the Albany and Greenbush bridge ; which was read and referred to the committee on commerce and navigation.

Also, a petition of real estate owners of Greenbush on the same subject ; which was read and referred to the same committee.

Mr. Crowley presented a resolution of the common council of the city of Buffalo for the passage of the bill prohibiting contract convict labor ; which was read and committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Robertson, Int. No. 199, entitled "An act to amend article 3, title 4, chapter 2 of part 4 of the Revised Statutes, entitled 'Of the removal of indictments before trial or judgment,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Marvin, Int. No. 206, entitled "An act to facilitate the discharge of debtors imprisoned by virtue of executions in civil cases," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hicks, Int. No. 214, entitled "An act to amend chapter 416 of the Laws of 1877, entitled 'An act relating to courts, officers of justice and civil proceedings,'" reported in favor of the passage of the same which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hicks, Int. No. 87, entitled "An act to amend chapter 416 of the Laws of 1877, entitled 'An act relating to courts, officers of justice and civil proceedings,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Robertson, Int. No. 195, entitled "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating

to courts, officers of justice, and civil proceedings," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Edick, Int. No. 202, entitled "An act in relation to the overseers of the poor," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Prescott, Int. No. 570, entitled "An act to provide for the record of bonds of supervisors, and the preservation of the same in the county clerk's office," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Daly, Int. No. 870, entitled "An act to reorganize the courts of special sessions of the peace in and for the city and county of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Ecclesine, Int. No. 176, entitled "An act to facilitate the removal of human remains from the burying grounds within the limits of cities," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Berry, Int. No. 875, entitled "An act to amend chapter 789 of the Laws of 1870, entitled 'An act to amend chapter 907 of the Laws of 1869, entitled An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Goodwin, Int. No. 140, entitled "An act to amend chapter 466 of the Laws of 1877, entitled 'An act in relation to assignments of the estates of debtors for the benefit of creditors,'" reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Willers, Int. No. 923, entitled "An act to amend chapter 130, Laws of 1842, entitled 'An act respecting elections other than for militia and town offices,' and the several acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Case, from the committee on canals, to which was referred the Senate bill introduced by Mr. Lippitt, Int. No. 197, entitled "An act to define the jurisdiction of the Canal Board and the Board of Canal Appraisers," reported the same for the consideration of the House and said bill was committed to the committee of the whole.

On motion of Mr. Kern, and by unanimous consent, said bill was referred to the sub-committee of the whole.

Mr. Case, from the committee on canals, to which was referred the following preamble and resolution relative to the enlargement of the canals and making them free, reported the same for the consideration of the House :

"Whereas, The vast and rapidly increasing commerce of the lakes imperatively demands that some action be immediately taken which shall result in providing for an ample, cheaper, and more rapid transit by water of the immense products of the west to the seaboard ; and,

"Whereas, The near approach of the completion of the Welland canal, affording capacity for the passage of transports of the largest classes, will divert a large portion of the commerce of the west to foreign bottoms and to foreign ports ; and,

"Whereas, The Forty-first Congress, through the action of two of its leading committees (the committee on commerce and the committee on appropriations), recognized the national importance of our trunk canals as a public highway, and the propriety of enlarging the same, in favorably reporting to the House a bill authorizing the issue of bonds of the United States in an amount sufficient to enlarge the trunk canals of New York, so as to allow the passage of boats carrying 600 tons burden ; and,

"Whereas, Public sentiment and the business judgment of the country clearly indicate that Congress will now be fully justified in consummating the project inaugurated by the committees of the Forty-first Congress ; therefore,

"Resolved (if the Senate concur), That whenever the government elects to issue and deliver to the properly constituted authorities of the State of New York bonds of the United States in an amount sufficient to cancel the present canal debt of the State, and to enlarge the trunk canals of the State so as to allow the passage of boats of the capacity of 600 tons burden, then the State will cause the proceeds of said bonds to be expended for the purpose above specified, as soon as the same can be done without materially interrupting the navigation of the canals, and to declare and dedicate said canals as public highways, to be and remain forever free to the commerce of the nation from the lakes to tide-water."

Ordered, That said resolution be laid upon the table and printed.

Mr. Worth, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Waring, Int. No. 671, entitled "An act to preserve the beach at Coney Island," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Worth, from the committee on commerce and navigation, to which was referred the Senate bill introduced by Mr. Harris, Int. No. 213, entitled "An act to regulate the use of certain docks in the city of Albany," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and by unanimous consent, said bill was committed to the sub-committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Hurd, Int. No. 739, entitled "An act to provide for the measurement of water in cities and incorporated villages," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Hurd, and by unanimous consent, said bill was ordered to a third reading.

Mr. E. Taylor, from the committee on affairs of villages, to which was

referred the bill introduced by Mr. E. Taylor, Int. No. 902, entitled "An act conferring additional powers upon the trustees of the village of Le Roy," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the Senate bill introduced by Mr. Rockwell, Int. No. 208, entitled "An act in relation to the non-resident highway tax in the town of Thurman, in the county of Warren," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Jacobs, Int. No. 193, entitled "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' " reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Turner, Int. No. 175, entitled "An act in relation to devises and bequests to charitable, religious and other societies and corporations," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. King, from the committee on public health, to which was referred the bill introduced by Mr. Berrigan, Int. No. 708, entitled "An act in relation to the slaughtering and converting of animals into articles of merchandise and commerce in the city of New York," reported adversely thereto, which report was agreed to.

Mr. King, from the committee on public health, to which was referred the Senate bill introduced by Mr. R. V. Pierce, Int. No. 212, entitled "An act to incorporate the Homœopathic Medical College of the city of Buffalo," reported in favor of the passage of the same (Messrs. Pool, Beard and Taylor dissenting), with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. King, from the committee on public health, to which was recommended the bill introduced by Mr. Fitzgerald, Int. No. 206, entitled "An act to provide for the sanitary inspection of common school buildings in the city and county of New York," re-reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Day, Int. No. 101, entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same, passed April 2, 1850,' passed April 15, 1854," reported adversely thereto, which report was agreed to.

Mr. North, from the committee on civil divisions, to which was referred the bill introduced by Mr. Clapp, Int. No. 859, entitled "An act to amend section 1 of chapter 225 of the Laws of 1877, entitled "An act to establish the boundary line between the towns of Jay and Wellington, in the county of Essex, and to confirm the past jurisdiction of said towns respectively in relation to said line," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Clapp, and by unanimous consent, said bill was ordered to a third reading.

Mr. Terry offered, for the consideration of the House, a resolution in the words following:

Resolved, That Senate bill No. 79, entitled 'An act to authorize journals of boards of supervisors to be read in evidence,' be and is hereby ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Andrews offered, for the consideration of the House, a privileged resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 101, entitled "An act to provide for the care, government, protection and improvement of the public park known as Ross park, in the city of Binghamton," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Worth offered, for the consideration of the House, a preamble and resolution in the words following:

Whereas, The interests of the people of this State are deeply involved in whatever concerns the internal commerce of the country, and facilitates rapid and cheap transportation therein; and

Whereas, The National Congress, in obedience to a popular demand, enacted a law in the year 1862, authorizing the formation of a corporation styled the Union Pacific Railroad Company, which, with its auxiliary and associate companies, should construct a railway from the Missouri river to the Pacific; and in aid of such construction agreed to grant immense tracts of public lands, and advance bonds of the Government, amounting to many millions of dollars, to such companies; the general features of which act may be summarized as follows:

The provisions of the act were made applicable, primarily, to the said Union Pacific Railroad Company, and, secondarily, to the auxiliary companies, upon their acceptance of its terms:

The capital stock was fixed at one hundred millions of dollars, and to prevent its absorption by few persons, so as to become a powerful monopoly, the amount of the stock which might be held by one party was limited to two hundred thousand dollars. All usual and necessary corporate powers were granted, prudential restrictions imposed, and amendatory powers reserved; a donation of public lands, unexampled in extent, was made, and an issue of the thirty year bonds of the Government, bearing six per cent currency interest, was authorized, at the rate of sixteen thousand dollars per mile from the several eastern termini to the base of the Rocky mountains, of forty-eight thousand dollars per mile over the Rocky and Sierra Nevada mountains, to the extent of one hundred and fifty miles in each case; of thirty-two thousand dollars per mile over the intermediate country between said ranges of mountains, and of sixteen thousand dollars per mile from the base of the Sierra Nevada mountains to the Pacific ocean:

The corporation was to be established and invested with the benefits of the act, when two millions of the capital stock should be subscribed,

and ten per cent (\$200,000) thereof paid to the treasurer of the commissioners named in the act to manage the incipient proceedings; and

Whereas, Pursuant to published notice of said commissioners, aided by pressing appeals to public patriotism, the required subscriptions were made, the ten per cent. paid in, and the organization perfected in October, 1863, under auspices of financial promise never excelled, its shares having been subscribed for by one hundred and twenty five of the most sagacious and responsible business men of the country, and its treasury supplied with two hundred and seventeen thousand seven hundred dollars in money, and entitled to call in one million nine hundred and fifty-nine thousand three hundred dollars more, being the unpaid balance of stock subscribed for; and

Whereas, Circumstances occurred simultaneously with the organization, which interfered with these fair prospects, and caused a disaffection which eventually culminated in a withdrawal of nearly all of the original shareholders from continued participation in the enterprise, and devolved upon the management the necessity of an appeal to Congress for further legislation, the more prominent features of which, as *proposed* or adopted, may be stated as follows:

In February, 1864, Hon. John Sherman, at the request, and in behalf of the companies, as stated by him, presented to the Senate of the United States a bill embodying the provisions and measures which the several interested companies desired as amendatory of the act of 1862. This bill, exhibiting unmistakably *their intention* in respect to the repayment of moneys which should be paid by the government in their behalf, with interest thereon, substituted for the loan of government bonds provided for in the act of 1862, an issue by the companies of their own first mortgage bonds for amounts double or nearly double the amounts of government bonds to be issued, and provided for the guarantee by the government of the interest thereon for twenty years, at the rate of six per centum in gold, with specific provision that for all interest which the government should be required to pay under such guarantee (except a gratuity of one year's interest), the government should be subrogated to the rights of the holders of the bonds to collect from the companies the amounts paid, with interest thereon also, at six per cent.

This bill, amended, passed the Senate, but was disagreed to by the House, and in lieu thereof amendments to the act of 1862 by clauses or sections were passed, and became law July 2, 1864.

By these amendments, the right of the people to participate in the capital stock was amplified by the requirement that the books for subscription to the capital stock should be kept open in the principal cities of the country, and at other places, until the entire capital of one hundred millions of dollars should be subscribed, the only condition to valid subscription being the payment, "at the time of subscription, of an amount per share, equal to the amount per share previously paid by the then existing shareholders;" and the intention of Congress to prevent monopoly (expressed in the original act by the limitation of the amount of capital stock, which might be held by one party, to two hundred thousand dollars), was made more certain and effective by the requirement that the company should make assessments upon its stockholders of not less than ten dollars per share per annum, until the par value (\$100) of all shares subscribed should be fully paid; and to further ensure and protect each of these purposes, and prevent evasion thereof,

it was provided that "*money only shall be receivable for any such assessments, or as equivalents for any portion of the capital stock.*"

The lien of the government by a first mortgage, created by the act of 1862, for its subsidies of bonds, as stated, was waived in favor of, and was subordinated to a first mortgage, authorized to be made by the companies for an amount equal to such subsidies, or issue of government bonds, and priority of payment was accorded to the holders of said mortgage bonds of the companies.

The right to reduce the rates of fare, and establish the same by law, when the net income should exceed ten per cent upon its *cost*, also the right to alter amend or repeal this act, were expressly reserved and declared.

The issue of government bonds was prohibited, unless a statement, verified on oath by the president of the company, should show that the sections of road, in relation to which they were to be issued, had been constructed as specified in the act, and unless a certificate to similar effect should have been made by the government commissioners appointed therefor; and annual statements were required to be made by the company, and verified on oath, in like manner, setting forth the names of the stockholders, directors and officers of the company, the amount received from passengers and freight, *the expense of said road and fixtures*, and the amount of the various kinds of indebtedness; and

Whereas, The alleged cost of the several roads which have been constructed, in pursuance of said acts, whether ascertained from such verified statements, or shown by the various classes of indebtedness for which the companies are liable, increased by the amounts declared to have been paid for capital stock—by law required to be in money only—contrasted with the well known cash cost of other roads constructed over similar descriptions of country, forces the conclusion that the realized means and resources of the companies have either been wantonly and culpably wasted, or have been diverted from their legitimate uses, whereby the proclaimed right of the public to become shareholders on equal terms has become vitiated, the security of the government and other creditors impaired, and the public welfare, in the future use of the roads, made forever tributary to the production of revenue on fictitious capital; and,

Whereas, The several companies, in disregard of the declaration of their bill of 1864, as above recited, have successfully denied their obligation to refund to the government the semi-annual payments for interest on its thirty years' bonds issued in their behalf, until the maturity of the bonds, or to pay any interest upon such semi-annual payments at any time, and are now actively resisting legislation by Congress for the creation of a sinking fund intended to ensure the ultimate payment of said bonds and interest; and it is evident that without such sinking fund, and by a reliance upon the future value of the roads alone, it will most certainly occur that the government, in addition to the immense loss of intermediate interest now unavoidable, will be subjected to a loss of the greater portion of its claim for interest—being many millions more than the principal—as the discharge of principal and interest, and of the first mortgage bonds then falling due, will require millions of money in excess either of the value or cost of the roads; and,

Whereas, One of the said companies has already been made insolvent by the squandering of its resources upon a "construction company," and

a disregard of the provisions of said acts, and its first mortgage is now being foreclosed, to the imminent peril of six millions of dollars and interest thereon advanced by the government, and others of said companies already depleted by "Credit Mobilier" and similar agencies, when compelled to provide for the sinking fund, may be forced into a similar condition unless effective measures are taken to compel a restitution of all moneys, means or resources unlawfully used, and to enforce the payment in money of the par value of all stock which has not already been so paid for agreeably to law; and to restore to the public the right to subscribe and pay for in money further shares to the extent and upon the terms prescribed in the act of 1864, which right has been practically terminated by a clause in an act, passed March 3, 1873, apparently designed, as is its effect, to confer upon the holders of existing stock, whether genuine or fictitious, the enjoyment of all the net revenues of companies exempt from the payment of interest upon the loans from the government until their maturity, in case that even then the payment of either principal or interest shall be deemed expedient. Therefore, be it

Resolved, That the credit of the government, the public welfare and the interests of all tax-payers equally demand:

That the provisions of the act of 1864, in relation to the payment of all the stock of said companies to the par value thereof in money shall be enforced.

That all payments heretofore made in derogation, evasion or disregard of such provisions shall be declared void, and all stock on which payments shall have been so made, wholly or in part, shall become forfeited and null unless the holders thereof shall pay in money all unpaid balances not so paid in money on their respective shares within sixty days from the time when such unpaid balances shall be ascertained and announced by proper public notice.

That all moneys, means or resources which at any time may have belonged to any of said companies, or to which they may have been entitled, and which may have been abstracted or diverted unlawfully, shall be recovered or lawfully accounted for for the benefit of said companies.

That the public shall be restored to their right to participate in the stock of said companies, according to the provisions of said act of 1864; and the amount per share to be paid when subscribing, viz: the amount paid in money by existing share holders, shall be established and declared by law. That the cost of said roads and appurtenances upon which the tariff of rates is by law provided to be regulated, shall be justly determined by judicial proceedings or otherwise; and

That a sinking fund shall be created from the annual net revenues of each said company, sufficient to provide for the certain payment when due, of their respective obligations to the government: And be it further

Resolved, That the foregoing preamble and resolutions be printed, and copies thereof transmitted to each of the Senators and Representatives in Congress for this State, with a request that they give the subject their immediate consideration, for the purpose of securing such action as may be suggested by their sense of duty to their constituents, and the urgency and importance of the case.

Said resolution being concurrent,

Ordered, That the same be laid upon the table.

On motion of Mr. Alvord, and at 1 o'clock and 55 minutes, the House took a recess until half-past four, P. M.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

The Senate returned the following entitled bill:

"An act to amend article 5 of title 1, chapter 16 of part 1 of the Revised Statutes."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker directed the Clerk to call the roll, and ascertain if a quorum was present, when the following named gentlemen answered to their names:

ABBOTT	DALY	HOYT	MEYENBORG	STRACK
ALLEN	DAY	HURD	NIVEN	E. TAYLOR
ALVORD	DUELL	KEATOR	NOYES	J. T. TAYLOR
ASTOR	FISH	KEEGAN	PALMER	TERRY
BATHE	FLOYD-JONES	KELLOGG	DEWITT C. PECK	THOMSON
BEARD	FOSTER	KERN	PEEK	TOWNSLEY
BERGEN	GALVIN	KING	PRESCOTT	VALENTINE
BROWNING	GILBERT	LANGNER	REYNOLDS	WADSWORTH
CASE	GRADY	LOVELAND	ROBERTS	WAKELY
CHAPPELL	GRAHAM	LOWING	ROWLAND	WARING
CHASE	GRIGGS	MAPES	SAWYER	WEMPLE
CLANCY	HALLIDAY	MATTISON	SEEBACHER	WHEELER
CLAPP	HAVENS	MCDONOUGH	SEWELL	WILBOR
CONVERSE	HOBBIE	MEKEEL	SHEARD	WILLERS
CORMACK	HOLAHAN	MOLLER	SHELDON	WORTH
CURRAN	HOLBROOK	MOOERS	SKINNER	SPEAKER

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A quorum being present,

Mr. Speaker announced, pursuant to ninth joint rule, the order of business, third reading of bills.

The Senate bill entitled "An act to establish and settle the bulk-head and pier lines for Newtown creek in the port of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 92.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DUELL	JONES	NORTH	STRACK
ALLEN	FISH	KEATOR	NOYES	E. TAYLOR
ALVORD	FLOYD-JONES	KEEGAN	PALMER	J. T. TAYLOR
ASTOR	FOSTER	KELLOGG	DEWITT C. PECK	TERRY
BAKER	GALVIN	KERN	PEEK	THOMSON
BEARD	GILBERT	KING	PIPER	TOWNSLEY
BERGEN	GRADY	LANGNER	POOL	VALENTINE
BERRIGAN	GRAHAM	LOVELAND	PRESCOTT	WADSWORTH
BROWNING	GRIGGS	LOWING	REYNOLDS	WAKELY
CASE	HALLIDAY	MAPES	ROBERTS	WARING
CHAPPELL	HAMILTON	MATTISON	ROWLAND	WEMPLE
CHASE	HAVENS	MCDONOUGH	SAWYER	WHEELER
CLAPP	HEPBURN	MEKEEL	SEARING	WILBOR
CLARK	HOBBIE	MOLLER	SEEBACHER	WILLERS
CONVERSE	HOLAHAN	MOOERS	SEWELL	WILLIAMS
CORMACK	HOLBROOK	MEYENBORG	SHEARD	WILLIS
CURRAN	HOYT	NELSON	SHELDON	WINCH
DALY	HULME	NIVEN	SKINNER	WORTH
DAY	HURD			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to extend the time within which the Brooklyn Guaranty and Indemnity Company, a corporation created under chapter 481 of the Laws of 1874, may begin the transaction of its business."

"An act to reappropriate certain moneys heretofore appropriated by chapter 425 of the Laws of 1876."

"An act to exempt the real estate of the trustees of the House of the Good Shepherd, in the county of Rockland, from taxation."

"An act to repeal chapter 656 of the Laws of 1867, entitled 'An act to amend an act to provide for the incorporation of religious societies.'"

"An act for the protection of life, and to prevent accidents by vessels navigating the port and harbor of New York, and waters adjacent thereto."

"An act to amend section 8 of chapter 608 of the Laws of 1871, entitled 'An act to amend an act to provide for the incorporation of fire insurance companies,' passed June 25, 1853."

"An act requiring receivers of corporations to make reports."

"An act to amend chapter 596 of the Laws of 1874, entitled 'An act to incorporate the Manhattan Mortgage Company.'"

"An act to repeal chapter 74 of the Laws of 1866, entitled 'An act to create a metropolitan sanitary district and a board of health therein, for the preservation of life and health and to prevent the spread of disease,' so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town, and defining its powers and duties."

"An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie, and to consolidate with it other acts relating to said city.'"

"An act to incorporate the General Council of the Methodist Episcopal Ministers' National Mutual Aid Association, and to provide for the organization of subordinate chapters."

"An act for the relief of the Lutheran cemetery in the town of Newtown, in the county of Queens."

"An act to prohibit the taking of certain kinds of fish from the waters of Loon lake, in the county of Steuben."

"An act to confirm the official acts of Ralph L. Cook, as notary public of Kings county."

"An act to discharge chattel mortgages."

"An act to extend the charter of the Saratoga Lake Bridge Company."

"An act to improve Steinway avenue, Long Island City."

"An act to amend an act entitled 'An act to provide security against extraordinary conflagrations, and for the creation of safety funds by fire insurance companies,' passed April 16, 1874."

"An act to incorporate the Brewer Fire Company of the village of Munsey, of the county of Rockland, State of New York."

"An act to reduce the number of managers of the Charity Foundation of Protestant Episcopal Church in the city of Buffalo."

"An act relative to the collection of taxes in the town of Plattsburgh, in the county of Clinton."

"An act for the better protection of innkeepers and keepers of boarding-houses."

"An act to repeal sections 3, 4, 5, 6, 7, and 8 of chapter 392 of the Laws of 1873, entitled 'An act for the relief of the Corning Library.'"

"An act to limit and define the powers of the supervisor, town clerk, commissioners of highways and justices of the peace of the town of Pelham, in the county of Westchester."

"An act for the distribution of the funds now in the insurance department, which funds now stand to the credit of the National Life Insurance Company of New York, for the security of its policyholders."

"An act to incorporate the Columbia County Bar Association."

The bill entitled "An act to extend the time within which the Brooklyn Guaranty and Indemnity Company, a corporation created under chapter 481 of the Laws of 1874, may begin the transaction of its business," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81. NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	JONES	NIVEN	STRACK
ALLEN	DAY	KEATOR	PALMER	E. TAYLOR
BAKER	DUELL	KEEGAN	DeWITT C. PECK	J. T. TAYLOR
BEARD	FLYNN	KELLOGG	PEEK	TERRY
BERRIGAN	FOSTER	KERN	PIPER	THOMSON
BROOKS	GILBERT	KING	POOL	VALENTINE
BROWNING	GRAHAM	LANGNER	PRESCOTT	WADSWORTH
BRUNDAGE	GRIGGS	LOVELAND	REYNOLDS	WAKELY
BURNS	HAMILTON	LOWING	ROBERTS	WARING
CASE	HAVENS	MATTISON	ROWLAND	WEMPLE
CHAPPELL	I. I. HAYES	MEKEEL	SAWYER	WILBOR
CHASE	HEPBURN	J. H. MILLER	SEARING	WILLERS
CLAPP	HOBIE	MOLLER	SEEBACHER	WILLIAMS
CLARK	HOLAHAN	MOOERS	SEWELL	WILLIS
CONVERSE	HULME	NEILSON	SHELDON	WINCH
CORMACK	HURD	NELSON	SKINNER	WORTH
CURRAN				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord in the chair.

The bill entitled "An act to reappropriate certain moneys heretofore appropriated by chapter 425 of the Laws of 1876," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83. NOES 2.

Those who voted in the affirmative, were

ABBOTT	FISH	JONES	NIVEN	SKINNER
ALLEN	FLOYD-JONES	KEATOR	NORTH	STORY
ALVORD	FOSTER	KELLOGG	NOYES	STRACK
ASTOR	GALVIN	KERN	PALMER	E. TAYLOR
BAKER	GILBERT	KING	DeWITT C. PECK	J. T. TAYLOR
BATHE	GRADY	LANGNER	PERK	TERRY
BERRIGAN	GRAHAM	LOVELAND	PIPER	THOMSON

BERRY	GRIGGS	LOWING	PRESCOTT	TOWNSLEY
BROWNING	HALLIDAY	MATTISON	PROPER	VALENTINE
CASE	I. I. HAYES	MCDONOUGH	REYNOLDS	WAKELY
CHAPPELL	HEPBURN	MEKEEL	ROBERTS	WARING
CHASE	HOBBIE	J. H. MILLER	SAWYER	WEMPLE
CLAPP	HOLAHAN	S. V. R. MILLER	SEARING	WHEELER
CLARK	HOLBROOK	MOLLER	SEWELL	WILBOR
DALY	HOYT	MOOERS	SHANLEY	WILLIAMS
DAY	HULME	MEYENBORG	SHELDON	WILLIS
DUELL	HURD	NELSON		

Those who voted in the negative, were

BEARD CORMACK

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to exempt the real estate of the trustees of the House of the Good Shepherd, in the county of Rockland, from taxation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 93.

NOES 4.

Those who voted in the affirmative, were

ABBOTT	CLAPP	I. I. HAYES	S. V. R. MILLER	SHANLEY
ALLEN	CLARK	HENRY	MOLLER	SHEARD
ALVORD	CONVERSE	HOBBIE	MOOERS	SHELDON
ANDREWS	CORMACK	HOLBROOK	MEYENBORG	SKINNER
ASTOR	CURRAN	HOYT	NEILSON	STORY
BAKER	DALY	HULME	NELSON	STRACK
BATHE	DAY	HURD	NIVEN	E. TAYLOR
BEARD	FISH	JONES	NORTH	J. T. TAYLOR
BERGEN	FITZGERALD	KEATOR	NOYES	TERRY
BERRIGAN	FLOYD-JONES	KEEGAN	PALMER	THOMSON
BERRY	FOSTER	KELLOGG	PIPER	TOWNSLEY
BROOKS	GALVIN	KERN	PRESCOTT	VALENTINE
BROWNING	GILBERT	KING	REYNOLDS	WADSWORTH
BRUNDAGE	GRADY	LOVELAND	ROBERTS	WARING
BURNS	GRAHAM	LOWING	ROWLAND	WEMPLE
CASE	GRIGGS	MCDONOUGH	SAWYER	WILBOR
CHAPPELL	HALLIDAY	MEAD	SEARING	WILLERS
CHASE	HAMILTON	MEKEEL	SEWELL	WORTH
CLANCY	HAVENS	J. H. MILLER		

Those who voted in the negative, were

DUELL HEPBURN MATTISON DEWITT C. PECK

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 656 of the Laws of 1867, entitled 'An act to amend An act to provide for the incorporation of religious societies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HEPBURN	MOOERS	SAWYER
ALLEN	CLARK	HOBBIE	MEYENBORG	SEARING
ALVORD	CONVERSE	HOLBROOK	NEILSON	SEEBACHER
ANDREWS	CURRAN	HOYT	NELSON	SEWELL
ASTOR	DALY	HULME	NIVEN	SHANLEY
BAKER	DAY	HURD	NORTH	SHEARD
BATHE	DUELL	JONES	NOYES	STORY
BEARD	FLOYD-JONES	KEATOR	PALMER	E. TAYLOR
BERRIGAN	FLYNN	KELLOGG	PATTERSON	TERRY
BERRY	FOSTER	KERN	DEWITT C. PECK	THOMSON
BROOKS	GALVIN	KING	PIPER	WAKELY
BROWNING	GILBERT	LOVELAND	PRESCOTT	WHEELER
BURNS	GRIGGS	LOWING	PROPER	WILBOR
CHAPPELL	HALLIDAY	MEEKEL	REYNOLDS	WILLIS
CHASE	HAVENS	S. V. R. MILLER	ROWLAND	WORTH
CLANCY	I. I. HAYES	MOLLER		

Those who voted in the negative, were

SKINNER VALENTINE

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 8 of chapter 608 of the Laws of 1871, entitled 'An act to amend An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 92.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOLBROOK	NEILSON	SHEARD
ALLEN	CURRAN	HOYT	NELSON	SHELDON
ALVORD	DALY	HULME	NIVEN	SKINNER
ANDREWS	DAY	HURD	NORTH	STORY
ASTOR	DUELL	JONES	NOYES	E. TAYLOR
BAKER	FLOYD-JONES	KELLOGG	PALMER	J. T. TAYLOR
BATHE	FLYNN	KERN	DEWITT C. PECK	TERRY
BEARD	FOSTER	KING	PIPER	THOMSON
BERGEN	GALVIN	LANGNER	PRESCOTT	TOWNSLEY
BERRIGAN	GILBERT	LOVELAND	PROPER	VALENTINE
BERRY	GRADY	LOWING	REYNOLDS	WADSWORTH
BROOKS	GRAHAM	MATTISON	ROBERTS	WARING
BROWNING	GRIGGS	MEAD	ROWLAND	WEMPLE
BRUNDAGE	HALLIDAY	MEKEEL	SAWYER	WILBOR
BURNS	HAVENS	J. H. MILLER	SEARING	WILLIS
CASE	I. I. HAYES	S. V. R. MILLER	SEEBACHER	WILLIS
CHASE	HEPBURN	MOLLER	SEWELL	WINCH
CLAPP	HOBBIE	MOOERS	SHANLEY	WORTH
CONVERSE	HOLAHAN			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the protection of life, and to prevent accidents by vessels navigating the port and harbor of New York, and waters adjacent thereto," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HULME	NEILSON	SHEARD
ALLEN	CROWLEY	HURD	NELSON	SHELDON
ALVORD	DAY	JONES	NIVEN	SKINNER
ANDREWS	DUELL	KEATOR	NORTH	STORY
ASTOR	FLOYD-JONES	KEEGAN	PALMER	E. TAYLOR
BAKER	FOSTER	KELLOGG	DEWITT C. PECK	J. T. TAYLOR
BEARD	GALVIN	KERN	PIPER	TERRY
BERGEN	GILBERT	KING	PRESCOTT	THAIN
BERRY	GRADY	LOVELAND	PROPER	THOMSON
BROOKS	GRAHAM	LOWING	REYNOLDS	VALENTINE
BROWNING	GRIGGS	MATTISON	ROBERTS	WADSWORTH
BRUNDAGE	HALLIDAY	MCDONOUGH	ROWLAND	WARING
CASE	I. I. HAYES	MEKEEL	SAWYER	WHEELER
CHAPPELL	HEPBURN	J. H. MILLER	SEARING	WILBOR
CHASE	HOBBIE	S. V. R. MILLER	SEEBACHER	WILLERS
CLAPP	HOLBROOK	MOLLER	SEWELL	WILLIS
CLARK	HOYT	MOOERS	SHANLEY	WORTH
CONVERSE				

Those who voted in the negative, were

CURRAN HAVENS

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 596 of the Laws of 1874, entitled 'An act to incorporate the Manhattan Mortgage Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOBBIE	MEYENBORG	SHEARD
ALLEN	CORMACK	HOLAHAN	NEILSON	SHELDON
ALVORD	CROWLEY	HULME	NELSON	SKINNER
ANDREWS	CURRAN	HURD	NIVEN	STORY
ASTOR	DUELL	JONES	NOYES	STRACK
BAKER	FISH	KEATOR	PALMER	E. TAYLOR
BATHE	FLOYD-JONES	KEEGAN	DEWITT C. PECK	J. T. TAYLOR
BEARD	FOSTER	KELLOGG	PIPER	THAIN
BERGEN	GALVIN	KING	PRESCOTT	THOMSON
BERRY	GILBERT	LANGNER	PROPER	VALENTINE
BROOKS	GRAHAM	LOVELAND	REYNOLDS	WADSWORTH
BROWNING	GRIGGS	LOWING	ROBERTS	WARING
BRUNDAGE	HALLIDAY	MATTISON	ROWLAND	WHEELER
CASE	HAVENS	MCDONOUGH	SAWYER	WILBOR
CHASE	I. I. HAYES	MEKEEL	SEARING	WILLERS
CLAPP	J. HAYES	S. V. R. MILLER	SEEBACHER	WILLIS
CLARK	HEPBURN	MOOERS	SEWELL	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide security against extraordinary conflagrations, and for the creation of safety funds by insurance companies,' passed April 16, 1874," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLAHAN	MOOERS	SHELDON
ALLEN	CORMACK	HOYT	MEYENBORG	SKINNER
ALVORD	CROWLEY	HULME	NEILSON	STORY
ANDREWS	DALY	HURD	NELSON	STRACK
ASTOR	DEYOE	JONES	NIVEN	E. TAYLOR
BAKER	DUELL	KEATOR	NORTH	J. T. TAYLOR
BEARD	FISH	KEEGAN	PALMER	TERRY
BERGEN	FLOYD-JONES	KELLOGG	DEWITT C. PECK	THOMSON
BROOKS	FOSTER	KERN	PRESCOTT	TOWNSLEY
BROWNING	GALVIN	KING	PROPER	VALENTINE
BRUNDAGE	GILBERT	LANGNER	REYNOLDS	WARING
BURNS	GRAHAM	LOVELAND	ROBERTS	WEMPLE
CASE	GRIGGS	LOWING	ROWLAND	WHEELER
CHAPPELL	HAMILTON	MATTISON	SAWYER	WILBOR
CHASE	HAVENS	MCDONOUGH	SEARING	WILLERS
CLANCY	I. I. HAYES	MEKEEL	SEWELL	WILLIS
CLAPP	J. HAYES	J. H. MILLER	SHEARD	WORTH
CLARK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 74 of the Laws of 1866, entitled 'An act to create a metropolitan sanitary district and a board of health therein for the preservation of life and health, and to prevent the spread of disease,' so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town, and defining its powers and duties," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ALVORD	DEYOE	HULME	NIVEN	SKINNER
ANDREWS	DUELL	HURD	NORTH	STORY
ASTOR	FISH	JONES	NOYES	STRACK
BAKER	FLOYD-JONES	KEATOR	PALMER	E. TAYLOR
BEARD	FOSTER	KEEGAN	PATTERSON	J. T. TAYLOR
BERGEN	GALVIN	KELLOGG	DEWITT C. PECK	THAIN
BERRIGAN	GILBERT	KERN	PEEK	THOMSON
BERRY	GRAHAM	LANGNER	PIPER	TOWNSLEY
BROWNING	GRIGGS	LOVELAND	PRESCOTT	VALENTINE
BRUNDAGE	HALLIDAY	LOWING	REYNOLDS	WADSWORTH
CASE	HAMILTON	MATTISON	ROBERTS	WARING
CHAPPELL	HAVENS	MEKEEL	ROWLAND	WEMPLE
CHASE	I. I. HAYES	J. H. MILLER	SAWYER	WILBOR
CLAPP	J. HAYES	S. V. R. MILLER	SEARING	WILLERS
CLARK	HEPBURN	MOOERS	SEWELL	WILLIAMS
CONVERSE	HOBBIE	NEILSON	SHEARD	WILLIS
CORMACK	HOLBROOK	NELSON	SHELDON	WORTH
CROWLEY	HOYT			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The privileges of the floor were granted to the Hon. E. Miller.

The bill entitled "An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie, and to consolidate with it other acts relating to said city,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HULME	NELSON	SHELDON
ALLEN	CURRAN	JONES	NIVEN	SKINNER
ALVORD	DAY	KEEGAN	NORTH	STORY
ANDREWS	DELL	KELLOGG	NOYES	STRACK
BAKER	FISH	KERN	PALMER	E. TAYLOR
BATHE	FLOYD-JONES	KING	PATTENGILL	J. T. TAYLOR
BERGEN	FOSTER	LANGNER	DEWITT C. PECK	TERRY
BERRY	GILBERT	LOVELAND	PEEK	THOMSON
BROOKS	GRAHAM	LOWING	PIPER	VALENTINE
BROWNING	GRIGGS	MATTISON	PRESCOTT	WADSWORTH
BRUNDAGE	HALLIDAY	MEKEEL	REYNOLDS	WHEELER
CASE	HAMILTON	J. H. MILLER	ROBERTS	WILBOR
CHAPPELL	HAVENS	S. V. R. MILLER	ROWLAND	WILLERS
CHASE	I. I. HAYES	MOLLER	SAWYER	WILLIAMS
CLAPP	J. HAYES	MOOERS	SEWELL	WILLIS
CLARK	HEPBURN	MEYENBORG	SHEARD	WINCH
CORMACK	HOYT	NEILSON		

Those who voted in the negative, were

BEARD HOBBIE

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the General Council of the Methodist Episcopal Ministers' National Mutual Aid Association, and to provide for the organization of subordinate chapters," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOYT	NEILSON	SHELDON
ALLEN	CROWLEY	HULME	NIVEN	SKINNER
ALVORD	CURRAN	HURD	NORTH	STORY
ANDREWS	DALY	JONES	NOYES	STRACK
BAKER	DEYOE	KEEGAN	PALMER	E. TAYLOR
BEARD	DELL	KELLOGG	PATTENGILL	TERRY
BERGEN	FISH	KERN	DEWITT C. PECK	THAIN
BERRY	FLOYD-JONES	KING	PEEK	THOMSON
BROOKS	FOSTER	LANGNER	PIPER	VALENTINE
BROWNING	GRADY	LOVELAND	PRESCOTT	WADSWORTH
BRUNDAGE	GRIGGS	MATTISON	REYNOLDS	WARING
CASE	HALLIDAY	MCDONOUGH	ROBERTS	WEMPLE
CHAPPELL	HAVENS	MEKEEL	ROWLAND	WILBOR
CHASE	I. I. HAYES	J. H. MILLER	SAWYER	WILLERS
CLAPP	J. HAYES	S. V. R. MILLER	SEWELL	WILLIS
CLARK	HOBBIE	MOOERS	SHEARD	WORTH
CONVERSE	HOLBROOK	MEYENBORG		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of the Lutheran Cemetery in the town of Newtown, in the county of Queens," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLBROOK	NELSON	SKINNER
ALLEN	CORMACK	HOYT	NIVEN	STORY
ALVORD	CROWLEY	HURD	NORTH	STRACK
ANDREWS	CURRAN	JONES	PALMER	E. TAYLOR
BAKER	DALY	KEEGAN	PATTENGILL	J. T. TAYLOR
BATHE	DUELL	KELLOGG	PATTERSON	TERRY
BEARD	FISH	KERN	DEWITT C. PECK	THAIN
BERGEN	FLOYD-JONES	KING	PEEK	THOMSON
BERRY	FLYNN	LANGNER	PIPER	TOWNSLEY
BROOKS	GRIGGS	LOVELAND	PRESCOTT	WADSWORTH
BROWNING	HALLIDAY	MATTISON	REYNOLDS	WARING
BRUNDAGE	HAVENS	MCDONOUGH	ROWLAND	WHEELER
CASE	I. I. HAYES	S. V. R. MILLER	SEARING	WILBOR
CHAPPELL	HENRY	MOLLER	SEEBACHER	WILLERS
CLAPP	HEPBURN	MOOERS	SEWELL	WILLIS
CLARK	HOBBIE	NEILSON	SHELDON	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prohibit the taking of certain kinds of fish from the waters of Loon lake, in the county of Steuben," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 90.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLBROOK	MEYENBORG	SKINNER
ALLEN	CORMACK	HOYT	NEILSON	STORY
ALVORD	CROWLEY	HULME	NIVEN	STRACK
ANDREWS	CURRAN	HURD	NORTH	E. TAYLOR
ASTOR	DAY	JONES	NOYES	J. T. TAYLOR
BAKER	DUELL	KEATOR	PALMER	TERRY
BATHE	FISH	KEEGAN	PATTENGILL	THAIN
BEARD	FLOYD-JONES	KELLOGG	PATTERSON	THOMSON
BERGEN	FOSTER	KERN	DEWITT C. PECK	TOWNSLEY
BERRY	GILBERT	LANGNER	PEEK	VALENTINE
BROOKS	GRADY	LOVELAND	PIPER	WADSWORTH
BROWNING	GRIGGS	LOWING	PRESCOTT	WAKELY
BRUNDAGE	HALLIDAY	MATTISON	REYNOLDS	WARING
CASE	HAVENS	MEKEEL	ROBERTS	WHEELER
CHAPPELL	I. I. HAYES	J. H. MILLER	ROWLAND	WILBOR
CHASE	HENRY	S. V. R. MILLER	SAWYER	WILLERS
CLAPP	HEPBURN	MOLLER	SHEARD	WILLIS
CLARK	HOBBIE	MOOERS	SHELDON	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the official acts of Ralph L. Cook, as notary public of Kings county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOYT	NEILSON	SHEARD
ALLEN	CROWLEY	HULME	NELSON	SHELDON
ALVORD	CURRAN	HURD	NIVEN	SKINNER
ANDREWS	DALY	JONES	NORTH	STRACK
BAKER	DAY	KEATOR	NOYES	E. TAYLOR
BATHE	DUELL	KEEGAN	PALMER	J. T. TAYLOR
BEARD	FISH	KERN	PATTENGILL	TERRY
BERGEN	FLOYD-JONES	LANGNER	PATTERSON	THAIN
BERRIGAN	FOSTER	LOVELAND	DEWITT C. PECK	THOMSON
BERRY	GRADY	MATTISON	PEEK	TOWNSLEY
BROOKS	GRIGGS	MCDONOUGH	PIPER	VALENTINE
BROWNING	HALLIDAY	MEKEEL	PRESCOTT	WARING
BRUNDAGE	HAVENS	J. H. MILLER	REYNOLDS	WEMPLE
CASE	I. I. HAYES	S. V. R. MILLER	ROBERTS	WILBOR
CHAPPELL	HENRY	MOLLER	ROWLAND	WILLERS
CHASE	HOBBIE	MOOERS	SAWYER	WILLIS
CLAPP	HOLAHAN	MEYENBORG	SEARING	WORTH
CLARK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to discharge chattel mortgages," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOLBROOK	MEYENBORG	SHEARD
ALLEN	CROWLEY	HOYT	NEILSON	SHELDON
ALVORD	CURRAN	HULME	NELSON	SKINNER
ANDREWS	DALY	JONES	NIVEN	STORY
BAKER	DAY	KEEGAN	NORTH	E. TAYLOR
BATHE	DUELL	KELLOGG	NOYES	J. T. TAYLOR
BEARD	FISH	KERN	PALMER	TERRY
BERGEN	FLOYD-JONES	LANGNER	PATTENGILL	THOMSON
BERRY	FOSTER	LOVELAND	DEWITT C. PECK	TOWNSLEY
BROOKS	GILBERT	LOWING	PIPER	VALENTINE
BROWNING	GRADY	MATTISON	PRESCOTT	WADSWORTH
CASE	GRAHAM	MCDONOUGH	REYNOLDS	WARING
CHAPPELL	GRIGGS	MEKEEL	ROBERTS	WEMPLE
CHASE	HAVENS	J. H. MILLER	ROWLAND	WHEELER
CLAPP	I. I. HAYES	S. V. R. MILLER	SAWYER	WILBOR
CLARK	J. HAYES	MOLLER	SEARING	WILLIS
CONVERSE	HEPBURN	MOOERS	SEWELL	WORTH

For the negative,

KEATOR

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the charter of the Saratoga Lake Bridge Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 76.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOYT	NEILSON	SEWELL
ALVORD	DALY	JONES	NIVEN	SHEARD
ANDREWS	DAY	KEATOR	NORTH	SHELDON
BAKER	DUELL	KEEGAN	NOYES	SKINNER
BATHE	FLOYD-JONES	KERN	PALMER	STORY
BERRY	FOSTER	LANGNER	PATTENGILL	E. TAYLOR
BROOKS	GALVIN	LOVELAND	PEEK	J. T. TAYLOR
BROWNING	GRADY	LOWING	PIPER	TERRY
CASE	GRAHAM	MATTISON	PRESCOTT	TOWNSLEY
CHAPPELL	HALLIDAY	MCDONOUGH	REYNOLDS	VALENTINE
CHASE	HAVENS	MEKEEL	ROBERTS	WADSWORTH
CLAPP	I. I. HAYES	J. H. MILLER	ROWLAND	WEMPLE
CLARK	J. HAYES	S. V. R. MILLER	SAWYER	WILBOR
CONVERSE	HOBBIE	MOOERS	SEARING	WILLIAMS
CORMACK	HOLBROOK	MEYENBORG	SEEBACHER	WILLIS
CROWLEY				

For the negative,

BEARD

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker in the chair.

The bill entitled "An act to improve Steinway avenue, Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLBROOK	NEILSON	SHELDON
ALLEN	CORMACK	HULME	NELSON	SKINNER
ALVORD	CROWLEY	HURD	NIVEN	STRACK
ANDREWS	DAY	JONES	NOYES	E. TAYLOR
BAKER	DEYOE	KEATOR	PALMER	J. T. TAYLOR
BATHE	DUELL	KEEGAN	PATTENGILL	TERRY
BEARD	FISH	KERN	DEWITT C. PECK	THAIN
BERRY	FLOYD-JONES	LANGNER	PEEK	VALENTINE
BROOKS	FOSTER	LOVELAND	PIPER	WADSWORTH
BROWNING	GRAHAM	LOWING	PRESCOTT	WARING
BRUNDAGE	GRIGGS	MATTISON	PROPER	WEMPLE
CASE	HALLIDAY	MCDONOUGH	REYNOLDS	WILBOR
CHAPPELL	HAVENS	MEKEEL	ROBERTS	WILLERS
CHASE	I. I. HAYES	S. V. R. MILLER	SEARING	WILLIS
CLAPP	HEPBURN	MOLLER	SEWELL	WORTH
CLARK	HOBBIE	MEYENBORG	SHEARD	

For the negative,

CURRAN

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate bill entitled "An act in relation to the term of office of the board of supervisors of Kings county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	KEEGAN	PALMER	STORY
ALLEN	DUELL	KELLOGG	PATTENGILL	STRACK
BAKER	FISH	KERN	PATTERSON	E. TAYLOR
BATHE	FLOYD-JONES	LANGNER	DeWITT C. PECK	J. T. TAYLOR
BEARD	FOSTER	LOVELAND	PIPER	TERRY
BROOKS	GRADY	LOWING	PRESCOTT	THOMSON
BROWNING	GRAHAM	MATTISON	PROPER	TOWNSLEY
BRUNDAGE	GRIGGS	MEKEEL	REYNOLDS	VALENTINE
CASE	HALLIDAY	J. H. MILLER	ROBERTS	WADSWORTH
CHAPPELL	HAVENS	MOLLER	ROWLAND	WARING
CHASE	I. I. HAYES	MOOERS	SAWYER	WEMPLE
CLANCY	HOBBIE	MEYENBORG	SEARING	WHEELER
CLARK	HOLBROOK	NEILSON	SEEBACHER	WILBOR
CONVERSE	HOYT	NELSON	SEWELL	WILLERS
CORMACK	HULME	NIVEN	SHEARD	WILLIS
CROWLEY	HURD	NORTH	SHELDON	WORTH
CURRAN	JONES	NOYES	SKINNER	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to authorize the postponement of the levy of a tax to pay bonds issued by the town of Vienna, in the county of Oneida, and the town of Constantia, in the county of Oswego, to facilitate the construction of the New York and Oswego Midland railroad, not yet matured," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOYT	NEILSON	SHELDON
ALLEN	CURRAN	HURD	NELSON	SKINNER
ALVORD	DALY	JONES	NIVEN	STORY
ANDREWS	DAY	KEEGAN	NOYES	STRACK
BAKER	DUELL	KELLOGG	PALMER	E. TAYLOR
BATHE	FISH	KERN	PATTENGILL	J. T. TAYLOR
BEARD	FLOYD-JONES	KING	DeWITT C. PECK	TERRY
BERGEN	FOSTER	LANGNER	PIPER	THOMSON
BERRY	GALVIN	LOVELAND	PRESCOTT	TOWNSLEY
BROOKS	GILBERT	LOWING	PROPER	VALENTINE
BROWNING	GRADY	MATTISON	REYNOLDS	WADSWORTH
BRUNDAGE	GRAHAM	MCDONOUGH	ROBERTS	WAKELY
CASE	GRIGGS	MEKEEL	ROWLAND	WARING
CHAPPELL	HAMILTON	J. H. MILLER	SAWYER	WEMPLE
CLAPP	I. I. HAYES	S. V. R. MILLER	SEARING	WILBOR
CLARK	HEPBURN	MOLLER	SEEBACHER	WILLIS
CONVERSE	HOBBIE	MEYENBORG	SEWELL	WINCH
CORMACK	HOLBROOK			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to legalize the acts of Owen Glennon, a justice of the peace of the town of Hunter, Greene county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HULME	NEILSON	SKINNER
ALLEN	CURRAN	HURD	NELSON	STORY
ALVORD	DALY	JONES	NIVEN	E. TAYLOR
ANDREWS	DAY	KEATOR	NORTH	TERRY
BAKER	DUELL	KEEGAN	NOYES	THAIN
BEARD	FISH	KELLOGG	PALMER	THOMSON
BERGEN	FLOYD-JONES	KERN	PATTENGILL	TOWNSLEY
BERRIGAN	FOSTER	LANGNER	DEWITT C. PECK	VALENTINE
BERRY	GRADY	LOVELAND	PEEK	WADSWORTH
BROOKS	GRAHAM	LOWING	PIPER	WARING
BROWNING	GRIGGS	MATTISON	PRESCOTT	WEMPLE
BRUNDAGE	HAMILTON	MCDONOUGH	REYNOLDS	WILBOR
CASE	HAVENS	MEKEEL	ROBERTS	WILLERS
CHAPPELL	I. I. HAYES	J. H. MILLER	ROWLAND	WILLIAMS
CHASE	J. HAYES	S. V. R. MILLER	SEARING	WILLIS
CLARK	HEPBURN	MOLLER	SEWELL	WINCH
CONVERSE	HOBBIE	MOOERS	SHELDON	WORTH
CORMACK	HOYT			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights, and other property connected therewith,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 88.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOYT	NIVEN	SHELDON
ALLEN	CURRAN	HULME	NOYES	SKINNER
ALVORD	DALY	JONES	PALMER	STORY
BAKER	DAY	KEATOR	PATTENGILL	E. TAYLOR
BATHE	DUELL	KEEGAN	DEWITT C. PECK	J. T. TAYLOR
BEARD	FISH	LANGNER	PIPER	TERRY
BERGEN	FITZGERALD	LOVELAND	PRESCOTT	THAIN
BERRIGAN	FLOYD-JONES	LOWING	PROPER	THOMSON
BERRY	FOSTER	MATTISON	REYNOLDS	TOWNSLEY
BROOKS	GILBERT	MCDONOUGH	ROBERTS	VALENTINE
BROWNING	GRADY	MEKEEL	ROWLAND	WADSWORTH
CASE	GRAHAM	J. H. MILLER	SAWYER	WARING
CHAPPELL	GRIGGS	S. V. R. MILLER	SEARING	WHEELER
CHASE	HAMILTON	MOLLER	SEEBACHER	WILBOR
CLAPP	HAVENS	MOOERS	SEWELL	WILLIS
CLARK	I. I. HAYES	MEYENBORG	SHANLEY	WINCH
CONVERSE	J. HAYES	NEILSON	SHEARD	WORTH
CORMACK	HENRY	NELSON		

For the negative,

WILLERS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to incorporate the Columbia County Bar Association," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 76.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOLBROOK	NELSON	E. TAYLOR
ALLEN	CURRAN	HOYT	NOYES	J. T. TAYLOR
ALVORD	DAY	HULME	PALMER	TERRY
ANDREWS	DUELL	HURD	DEWITT C. PECK	THOMSON
BAKER	FISH	JONES	PIPER	TOWNSLEY
BERGEN	FITZGERALD	KEATOR	POOL	VALENTINE
BERRIGAN	FLOYD-JONES	KELLOGG	PRESCOTT	WADSWORTH
BERRY	FLYNN	KERN	REYNOLDS	WAKELY
BROOKS	FOSTER	LANGNER	ROBERTS	WARING
BROWNING	GALVIN	MATTISON	ROWLAND	WEMPLE
BRUNDAGE	GRAHAM	MEKEEL	SAWYER	WHEELER
CHAPPELL	GRIGGS	MOLLER	SEEBACHER	WILBOR
CHASE	HALLIDAY	MOOERS	SHEARD	WILLIS
CLAPP	I. I. HAYES	MEYENBORG	SHELDON	WINCH
CLARK	HOBBIE	NEILSON	SKINNER	WORTH
CORMACK				

Those who voted in the negative, were

BEARD DALY

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 150 of the Laws of 1837, entitled 'An act authorizing a loan of certain moneys belonging to the United States deposited with the State of New York for safe-keeping,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOLBROOK	NORTH	J. T. TAYLOR
ALLEN	CURRAN	HOYT	NOYES	TERRY
ALVORD	DALY	HULME	PALMER	THAIN
BAKER	DAY	HURD	PATENGILL	THOMSON
BEARD	DUELL	JONES	PIPER	VALENTINE
BERGEN	FISH	KEEGAN	POOL	WADSWORTH
BERRY	FITZGERALD	KELLOGG	PRESCOTT	WAKELY
BOUCK	FLOYD-JONES	KERN	PROPER	WARING
BROOKS	FLYNN	LOVELAND	REYNOLDS	WEMPLE
BROWNING	FOSTER	LOWING	ROBERTS	WHEELER
BRUNDAGE	GALVIN	MATTISON	SAWYER	WILBOR
CASE	GRAHAM	MEKEEL	SEARING	WILLERS
CHASE	GRIGGS	MOLLER	SEEBACHER	WILLIS
CLAPP	HALLIDAY	MOOERS	SEWELL	WINCH
CONVERSE	I. I. HAYES	MEYENBORG	SHELDON	WORTH
CORMACK	HOBBIE	NEILSON	E. TAYLOR	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act in relation to the payment of assessments for local improvements in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HALLIDAY	S. V. R. MILLER	SHELDON
ALLEN	CONVERSE	I. I. HAYES	MOLLER	SKINNER
ALVORD	CROWLEY	HOBBIE	MOOERS	E. TAYLOR
ANDREWS	CURRAN	HOLBROOK	MEYENBORG	J. T. TAYLOR
BAKER	DALY	HOYT	NELSON	TERRY
BEARD	DAY	HULME	NORTH	THAIN
BERGEN	DEYOE	HURD	PATTENGILL	THOMSON
BERRY	DUELL	JONES	DEWITT C. PECK	VALENTINE
BOUCK	FISH	KEATOR	PEEK	WADSWORTH
BROOKS	FITZGERALD	KELLOGG	PIPER	WARING
BROWNING	FLOYD-JONES	KERN	PRESCOTT	WEMPLE
BRUNDAGE	FLYNN	LANGNER	REYNOLDS	WHEELER
CASE	FOSTER	LOVELAND	ROBERTS	WILBOR
CHAPPELL	FRANK	LOWING	SAWYER	WILLERS
CHASE	GALVIN	MATTISON	SEARING	WILLIS
CLANCY	GRAHAM	MEAD	SEEBACHER	WINCH
CLAPP	GRIGGS	MEEKEL	SHEARD	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend section 9, chapter 83 of the Laws of 1869, entitled 'An act to provide for the improvement of Grass river and of the water power thereon, and to check freshets therein,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOYT	NELSON	E. TAYLOR
ALLEN	CURRAN	HULME	NORTH	J. T. TAYLOR
ANDREWS	DALY	HURD	NOYES	TERRY
ASTOR	DAY	JONES	PALMER	THAIN
BAKER	DEYOE	KEATOR	PATTENGILL	THOMSON
BEARD	DUELL	KERN	DEWITT C. PECK	TOWNSLEY
BERRY	FISH	LANGNER	POOL	VALENTINE
BOUCK	FITZGERALD	LOVELAND	PRESCOTT	WADSWORTH
BROOKS	FLOYD-JONES	LOWING	PROPER	WARING
BROWNING	FLYNN	MAPES	REYNOLDS	WEMPLE
CASE	FOSTER	MATTISON	ROBERTS	WHEELER
CHAPPELL	GALVIN	MEKEEL	SAWYER	WILBOR
CHASE	GRAHAM	J. H. MILLER	SEARING	WILLERS
CLAPP	GRIGGS	MOLLER	SHANLEY	WILLIS
CLARK	HAMILTON	MOOERS	SHEARD	WINCH
CONVERSE	HOBBIE	MEYENBORG	SHELDON	WORTH
CORMACK	HOLBROOK	NEILSON	SKINNER	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to incorporate the Brewer Fire Company of the village of Monsey of the county of Rockland, State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOBBIE	NELSON	SKINNER
ALLEN	CROWLEY	HOLBROOK	NIVEN	STORY
ANDREWS	CURRAN	HOYT	NORTH	E. TAYLOR
ASTOR	DALY	HULME	NOYES	J. T. TAYLOR
BAKER	DAY	HURD	PALMER	TERRY
BEARD	DEYOE	JONES	PATTENGILL	THAIN
BERGEN	DUELL	KEATOR	PEEK	THOMSON
BERRIGAN	FISH	KELLOGG	PIPER	VALENTINE
BERRY	FITZGERALD	LANGNER	POOL	WADSWORTH
BOUCK	FLOYD-JONES	LOVELAND	PRESCOTT	WAKELY
BROOKS	FLYNN	LOWING	REYNOLDS	WARING
BROWNING	FOSTER	MAPES	ROBERTS	WEMPLE
CASE	GALVIN	MATTISON	SAWYER	WILBOR
CHAPPELL	GRAHAM	MEKEEL	SEEBACHER	WILLERS
CHASE	GRIGGS	J. H. MILLER	SEWELL	WILLIS
CLANCY	HAMILTON	MOOERS	SHEARD	WINCH
CLAPP	I. I. HAYES	NEILSON	SHELDON	WORTH
CLARK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to reduce the number of managers of the Charity Foundation of the Protestant Episcopal Church in the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 81.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CLARK	I. I. HAYES	NEILSON	SKINNER
ALLEN	CORMACK	HOBBIE	NELSON	STORY
ALVORD	CROWLEY	HOLBROOK	NIVEN	E. TAYLOR
ANDREWS	CURRAN	HOYT	NORTH	J. T. TAYLOR
BAKER	DALY	HULME	PALMER	TERRY
BATHE	DAY	JONES	PATTENGILL	THAIN
BERGEN	DEYOE	KEEGAN	PEEK	THOMSON
BERRY	DUELL	KERN	POOL	VALENTINE
BOUCK	FISH	LANGNER	PRESCOTT	WADSWORTH
BROOKS	FITZGERALD	LOVELAND	PROPER	WARING
BROWNING	FLOYD-JONES	LOWING	ROBERTS	WEMPLE
BRUNDAGE	FLYNN	MAPES	ROWLAND	WHEELER
CASE	FOSTER	MATTISON	SAWYER	WILBOR
CHAPPELL	GALVIN	J. H. MILLER	SEARING	WILLIS
CHASE	GRAHAM	MOOERS	SHEARD	WINCH
CLANCY	HAMILTON	MEYENBORG	SHELDON	WORTH
CLAPP				

For the negative,
GRADY

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act relative to the collection of taxes in the town of Plattsburgh, in the county of Clinton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HALLIDAY	S. V. R. MILLER	SHEARD
ALLEN	CONVERSE	HAMILTON	MOOERS	SHELDON
ALVORD	CORMACK	HAVENS	MEYENBORG	SKINNER
ANDREWS	CROWLEY	HOBBIE	NEILSON	STORY
BAKER	CURRAN	HOLBROOK	NELSON	E. TAYLOR
BATHE	DALY	HOYT	NORTH	TERRY
BEARD	DAY	HULME	NOYES	THAIN
BERGEN	DEYOE	HURD	PARKER	THOMSON
BERRY	DUELL	JONES	PATTENGILL	WADSWORTH
BOUCK	FISH	KELLOGG	DEWITT C. PECK	WARING
BROOKS	FITZGERALD	KERN	PIPER	WEMPLE
BROWNING	FLOYD-JONES	LANGNER	PRESCOTT	WILBOR
BRUNDAGE	FLYNN	LOWING	ROBERTS	WILLERS
CASE	FOSTER	MATTISON	ROWLAND	WILLIS
CHAPPELL	GALVIN	MEKEEL	SEARING	WINCH
CHASE	GRAHAM	J. H. MILLER	SEWELL	WORTH
CLAPP	GRIGGS			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Brooks rose to a question of privilege, and spoke as follows :

"Mr. Speaker, I find myself charged, in the New York World of this day, with being a public criminal in the United States Court. Now, sir, I have been connected with journalism for a great many years ; forty-one years with one journal in the city of New York, from the year 1836 to 1877, and I suppose, Mr. Speaker, I have received my full share of the blows which journalists in the discharge of their duties feel called upon from time to time to inflict upon members of the same profession. In public life, I do not think I have ever before asked the attention of a body of which I was a member, to anything which has been said of me by any of my associates connected with journalism, or otherwise. I know from long experience the power of the press, and the influence of the press, of editors and reporters, and the dramatist never said a truer thing than when he remarked that it were better to have a bad epitaph when dead, than their ill report while living. Nevertheless, Mr. Speaker, in view of what has been said of me, and the public record that I am a criminal in the United States Court, I have, since I have taken my seat here this afternoon, and without any desire to interrupt the third reading of bills, which are matters of public import and of much more importance than any of my private griefs, put on paper my reply to these charges of the World, and I will read them. They are brief :

"I am charged by the New York World of to-day, in a continuation of repeated calumnies during the present session of the Legislature, with being guilty of 'one of the basest imaginable offenses,' viz., of making, in or through the New York Evening Express, on the sixth of March last, when I was in my place in the House, 'a vulgar and brutal attack on the personal character of the reputed chief proprietor of the New York Times,' and upon Louis J. Jennings, formerly of the New York Times, and now the reputed editor of the London Week.

"It is proper for me to say, as a member of this House, and it is due to my constituency in the county of Richmond to say, that the charge is false in part and false in whole. My editorial relations with the New York Express notoriously ceased on the 1st of June, 1877, since when I have been in no way responsible for what has appeared in its columns, nor the owner of any large share of its stock. My personal and business relations with the editor of the New York Times have for very many years been of the most friendly character, nor have I, as a journalist or otherwise, at any time made any attack upon Mr. Jennings or his family, as stated in the New York World.

"My answer to this charge shall be in the World's own language, as printed this day: 'The public servant being in charge of a public trust (and I regard the editor of a newspaper as in charge of a public trust), who prints lies and libels about other people, * * * may have penitentiary reasons for seeking to protect himself and his official conduct against the daylight.'

"My connection with a public journal in the city of New York extended from 1836 to 1877, during all of which time my relations with my associates of all parties engaged in journalism were alike friendly and respectful, and this is in part my reason for this protest against the unprovoked and wanton attack made upon me in the columns of the New York World."

Mr. Nelson moved that the protest of Hon. Erastus Brooks, in reply to the assault made upon him in the columns of the New York World, be entered upon the journal of this House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. S. V. R. Miller offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill (not printed), G. O. 670, entitled "An act in relation to the publication of the Session Laws in Rensselaer county," be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the Senate bill entitled "An act to create a police pension fund for disabled and retired policemen in the city of New York," with a message that they do non-concur in the amendments of the Assembly thereto, and that they have appointed Messrs. Pomeroy, Goebel, and Ecclesine a committee of conference thereon on the part of the Senate, and request a like committee on the part of the Assembly.

Mr. Fish moved that a like committee be appointed on the part of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Fish, I. I. Hayes, Worth, Holahan, and Seebacher.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon.

The Senate sent for concurrence the following entitled bills:

"An act to repeal part of chapter 860 of the Laws of 1873, entitled 'An act to open a square to be known as Putnam square, in the city of Brooklyn, and to improve the square at the junction of Underhill and

Washington avenues with Atlantic avenue and Pacific street, in said city, the same to be known as Washington square," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to enable the Schuyler's Lake Rural Cemetery Association in the county of Otsego to take the care of and control the old burying-ground near said village, and to acquire title to said grounds and other lands adjoining," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 411 of the Laws of 1877, entitled 'An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

"An act for the preservation of fish, and to prevent the deposit of carcion or any deleterious substances on any fishing grounds, or in any rivers, creeks, or waters within or adjacent to the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

"An act to make effectual judicial decrees against unknown owners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to protect the rights of citizens of this State holding claims against other States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the dissolution of the corporation known as the Jews' Orphan and Indigent Asylum in New York, and for the division of its property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned the bill entitled "An act relating to the coroners of the city and county of New York, their duties and compensation," with a message that they had concurred in the passage of the same with the following amendments:

Section 1, line 8, after the word "contingent," insert the words "and incidental."

Line 9, after the word "contingent," insert the words "and incidental."

Section 6, line 7, after the word "supervisors," insert the words "is hereby repealed."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 77.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CURRAN	JONES	PATTENGILL	E. TAYLOR
ALVORD	DEYOE	KEATOR	DEWITT C. PECK	J. T. TAYLOR
BAKER	DUELL	KERGAN	PEEK	TERRY
BERRY	FISH	KERN	POOL	THOMSON
BOUCK	FITZGERALD	LOWING	PRESCOTT	VALENTINE
BROOKS	FLOYD-JONES	MATTISON	REYNOLDS	WADSWORTH

BROWNING	FOSTER	MEKEEL	ROWLAND	WAKELY
BRUNDAGE	GILBERT	J. H. MILLER	SAWYER	WARING
CASE	GRAHAM	S. V. R. MILLER	SEARING	WEMPLE
CHAPPELL	GRIGGS	MOOERS	SEWELL	WHEELER
CHASE	HAMILTON	MEYENBORG	SHANLEY	WILBOR
CLANCY	I. I. HAYES	NELSON	SHEARD	WILLERS
CLAPP	HOBBIE	NIVEN	SHELDON	WILLIS
CLARK	HOYT	NOYES	SKINNER	WINCH
CONVERSE	HULME	PALMER	STORY	WORTH
CORMACK	HURD			

Those who voted in the negative, were

BEARD GALVIN

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to exempt the town of Waterford, in the county of Saratoga, from the provisions of chapter 99 of the Laws of 1877, entitled 'An act to exempt the counties of Suffolk (except the town of Islip), Onondaga, Saratoga (except Saratoga Springs), Ontario, Yates, Rensselaer, Genesee, Schenectady, Monroe, Livingston, Otsego, Schoharie, Niagara and Orleans, from the provisions and operation of chapter 180 of the Laws of 1875, entitled An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties, and to create a board of town auditors in the town of Waterford,'" with a message that they have concurred in the passage of the same, with the following amendments :

Section 1, line 1, after the word "Waterford," insert the words "and the town of Hadley."

Strike out all of section 2, and make section 3 read section 2.

Amend the title by inserting, after the word "Waterford," in the first line, the words "and the town of Hadley."

Also, strike out (the last sentence of said title) the words "and to create a board of town auditors in the town of Waterford."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	DALY	HOYT	MOOERS	J. T. TAYLOR
ALLEN	DAY	HULME	MEYENBORG	TERRY
ALVORD	DEYOE	HURD	NELSON	THAIN
ANDREWS	DELL	JONES	NIVEN	THOMSON
BERRY	FISH	KEATOR	NOYES	VALENTINE
BROOKS	FITZGERALD	KEEGAN	PALMER	WADSWORTH
BROWNING	FLOYD-JONES	KELLOGG	PARKER	WAKELY
BRUNDAGE	FLYNN	KERN	DEWITT C. PECK	WARING
CASE	FOSTER	KING	PEEK	WEMPLE
CHAPPELL	FRANK	LANGNER	POOL	WHEELER
CHASE	GILBERT	LOVELAND	ROBERTS	WILBOR
CLANCY	GRAHAM	LOWING	SEWELL	WILLERS
CLAPP	GRIGGS	MATTISON	SHEARD	WILLIAMS
CLARK	HALLIDAY	MEKEEL	SHELDON	WILLIS
CONVERSE	I. I. HAYES	J. H. MILLER	SKINNER	WINCH
CORMACK	HOBBIE	S. V. R. MILLER	E. TAYLOR	WORTH
CROWLEY	HOLBROOK			

Those who voted in the negative, were

BEARD PRESCOTT

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

Mr. Fish moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 6 o'clock and 40 minutes, the House adjourned.

THURSDAY, MAY 2, 1878.

The House met pursuant to adjournment.

Prayer by Rev. D. L. Schwartz.

The journal of yesterday was read and approved.

Mr. Graham offered, for the consideration of the House, a resolution in the words following :

Resolved, That the Assembly bill, Int. No. 807, G. O. 669, introduced by Mr. Bergen, entitled "An act relating to boards of supervisors," may be recommitted to the committee on general laws, retaining its place on general orders, with power to report at any time.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Reynolds introduced a bill entitled "An act to reduce the expense in the Engineer's Department, and to provide for the safe keeping of the maps, plans, books and papers now in the office of the division engineer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Chappell offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to provide for the preservation of fish in Monroe county," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Thain offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee on the judiciary be discharged from the further consideration of Assembly bill, Int. No. 922, entitled "An act in relation to receivers of corporations," and that it be committed to the committee of the whole; and, when printed, recommitted to the committee on the judiciary, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Berry presented a report of the sub-committee of the whole; which was laid upon the table and ordered printed.

(See Doc. No. 133.)

By unanimous consent,

Mr. Wakely introduced a bill entitled "An act defining the duties and powers of boards of town auditors," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Havens, Int. No. 932, entitled "An act to amend chapter 173 of the Laws of 1874, entitled 'An act to fix the time for transacting the business of towns at the annual town meeting for the election of town officers,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to provide for a police commission in the town of New Lots, Kings county, and to establish a police force therein."

"An act in relation to canals."

"An act relating to the term of office of the supervisors of the counties of Albany, Livingston, Rensselaer, and Monroe."

"An act to authorize the railroad commissioners of the town of Skaneateles to sell and convey the stock owned by said town in the Skaneateles railroad, and to provide for the disposition of the proceeds thereof."

"An act to amend chapter 62 of the Laws of 1877, entitled 'An act to amend chapter 341 of the Laws of 1872, entitled An act in reference to the Young Men's Association for Mutual Improvement, in the city of Albany.'"

"An act for the protection of fish in Esopus creek and its tributaries, in the county of Ulster."

"An act in relation to the county treasurer of Wayne county."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they had reconsidered the vote on the final passage of said bills, and have passed the same as amended by the Assembly:

"An act to change the location of one of the bridges over the Champlain canal."

"An act to amend chapter 161 of the Laws of 1876, entitled 'An act to amend chapter 563 of the Laws of 1869, entitled An act to amend an act entitled An act to protect butter and cheese manufacturers,' passed May 2, 1864."

Ordered, That the Clerk return said bills to the Senate.

A message from the Senate was received and read informing of concurrence in the passage of the following resolution:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill No. 101, entitled "An act to provide for the care, government, protection, and improvement of the public park known as Ross park, in the city of Binghamton," for amendment.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Speaker announced, pursuant to the ninth joint rule, order of business, third reading of bills.

The bill entitled "An act for the protection of innkeepers and keepers of boarding houses," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLBROOK	MOLLER	SEARING
ALLEN	CRANDALL	HOYT	MEYENBORG	SEWELL
ALVORD	CRAWFORD	HULME	NEILSON	SHEARD
ANDREWS	DALY	JONES	NORTH	SHELDON
ASTOR	DEYOE	KEEGAN	NOYES	SLITER
BAKER	FISH	KELLOGG	PALMER	SUTHERLAND
BEARD	FITZGERALD	KERN	PATTENGILL	THOMSON
BERGEN	FLOYD-JONES	KING	CICERO C. PECK	TOWNSLEY
BERRIGAN	FOSTER	LANGNER	PIPER	WADSWORTH
BERRY	GILBERT	LOVELAND	POOL	WAKELY
BROWNING	GRIGGS	LOWING	PRESCOTT	WARING
BRUNDAGE	HALLIDAY	MAPES	PROPER	WHEELER
CASE	HAVENS	MATTISON	PURDY	WILBOR
CHAPPELL	HENRY	MEKEEL	REYNOLDS	WILLERS
CHASE	HEPBURN	J. H. MILLER	ROBERTS	WILLIS
CLAPP	HOBBIE	S. V. R. MILLER	ROWLAND	WINCH

For the negative,

SKINNER

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to limit and define the powers of the supervisor, town clerk, commissioners of highways and justices of the peace of the town of Pelham, in the county of Westchester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	FISH	KELLOGG	NOYES	SHELDON
ALLEN	FITZGERALD	KERN	PALMER	SKINNER
ALVORD	FOSTER	KING	PATTENGILL	SLITER
ANDREWS	GRAHAM	LANGNER	CICERO C. PECK	STRACK
ASTOR	GRIGGS	LOVELAND	DEWITT C. PECK	SUTHERLAND
BAKER	HALLIDAY	LOWING	PEEK	THAIN
BERRY	HAVENS	MATTISON	PIPER	THOMSON
BROOKS	HENRY	MCDONOUGH	POOL	VALENTINE
BROWNING	HEPBURN	MEKEEL	PROPER	WAKELY
BRUNDAGE	HOBBIE	J. H. MILLER	REYNOLDS	WARING
CASE	HOLBROOK	S. V. R. MILLER	ROBERTS	WEMPLE
CHAPPELL	HOYT	MOLLER	ROWLAND	WILBOR
CHASE	HULME	MOOERS	SAWYER	WILLERS
CLANCY	HURD	MEYENBORG	SEWELL	WILLIS
CLAPP	JONES	NEILSON	SHANLEY	WINCH
CROWLEY	KEATOR	NIVEN	SHEARD	WORTH
DALY	KEEGAN	NORTH		

For the negative,

BEARD

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal sections 3, 4, 5, 6, 7 and 8 of chapter 392 of the Laws of 1873, entitled 'An act for the relief of the Corning Library,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	KEATOR	NOYES	SHELDON
ALLEN	DEYOE	KEEGAN	PALMER	SKINNER
ALVORD	FISH	KELLOGG	PATTENGILL	SLITER
ANDREWS	FITZGERALD	KING	CICERO C. PECK	STRACK
ASTOR	FLOYD-JONES	LANGNER	DEWITT C. PECK	SUTHERLAND
BAKER	FOSTER	LOWING	PEEK	THAIN
BATHE	GILBERT	MAPES	PIPER	THOMSON
BEARD	GRAHAM	MATTISON	POOL	TOWNSLEY
BERGEN	GRIGGS	MCDONOUGH	PRESCOTT	VALENTINE
BERRIGAN	HALLIDAY	MEKEEL	PROPER	WADSWORTH
BERRY	HAVENS	J. H. MILLER	REYNOLDS	WARING
BROWNING	HENRY	S. V. R. MILLER	ROBERTS	WHEELER
BRUNDAGE	HEPBURN	MOLLER	ROWLAND	WILBOR
BURNS	HOBBIE	MOOERS	SAWYER	WILLERS
CHAPPELL	HOLBROOK	MEYENBORG	SEARING	WILLIS
CLAPP	HOYT	NEILSON	SEWELL	WINCH
CLARK	HULME	NORTH	SHEARD	WORTH
CRANDALL	JONES			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the distribution of the funds now in the Insurance Department, which funds now stand to the credit of the National Life Insurance Company of New York, for the security of its policyholders," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CROWLEY	HURD	NEILSON	SEWELL
ALVORD	DALY	JONES	NIVEN	SHEARD
ANDREWS	DEYOE	KEEGAN	NORTH	SHELDON
BAKER	FISH	KELLOGG	NOYES	SKINNER
BERGEN	FITZGERALD	KERN	PALMER	SLITER
BERRY	FLOYD-JONES	KING	CICERO C. PECK	SUTHERLAND
BROOKS	FOSTER	LANGNER	DEWITT C. PECK	TERRY
BROWNING	GILBERT	LOVELAND	PEEK	THAIN
BRUNDAGE	GRAHAM	LOWING	PIPER	THOMSON
BURNS	GRIGGS	MAPES	POOL	TOWNSLEY
CASE	HALLIDAY	MATTISON	PRESCOTT	VALENTINE
CHAPPELL	HAVENS	MCDONOUGH	PROPER	WAKELY
CHASE	HEPBURN	MEKEEL	REYNOLDS	WARING
CLANCY	HOBBIE	J. H. MILLER	ROWLAND	WEMPLE
CLAPP	HOLBROOK	S. V. R. MILLER	SAWYER	WILBOR
CLARK	HOYT	MOOERS	SEEBACHER	WILLIS
CRANDALL	HULME	MEYENBORG		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to classify the board of trustees of the Clinton Liberal Institute, and to provide for the election of said trustees," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 56. NOES 34.

Those who voted in the affirmative, were

ABBOTT	CHAPPELL	HAVENS	MOOERS	SEWELL
ALLEN	CHASE	I. I. HAYES	NEILSON	SHEARD
ALVORD	CLARK	HEPBURN	NOYES	THAIN
ANDREWS	CROWLEY	HULME	PALMER	THOMSON
ASTOR	CURRAN	HURD	PATTENGILL	WAKELY
BEARD	DAY	KING	PEEK	WARING
BERRY	FISH	LANGNER	POOL	WEMPLE
BOUCK	FRANK	LOWING	PURDY	WHEELER
BROOKS	GILBERT	MAPES	REYNOLDS	WILLIS
BROWNING	GRAHAM	MATTISON	ROWLAND	WINCH
BRUNDAGE	HAMILTON	MOLLER	SAWYER	WORTH
CASE				

Those who voted in the negative, were

CLANCY	HALLIDAY	KEEGAN	NORTH	SUTHERLAND
CONVERSE	HENRY	KELLOGG	PARKER	J. T. TAYLOR
CRANDALL	HOBIE	KERN	DEWITT C. PECK	TOWNSLEY
FLOYD-JONES	HOLBROOK	LOVELAND	PRESCOTT	VALENTINE
FOSTER	HOYT	MEKEEL	PROPER	WILBOR
GALVIN	JONES	J. H. MILLER	ROBERTS	WILLERS
GRIGGS	KEATOR	S. V. R. MILLER	SKINNER	

Mr. Wemple moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

Mr. Purdy gave notice that he would, at some future day, move to suspend the 37th and 41st rules, in order that the bill entitled "An act to amend chapter 366 of the Laws of 1877, entitled 'An act to provide for the introduction of the Stevenson traction system of towage on the Erie canal,'" may be referred to the committee on canals, with power to report complete.

Mr. Havens in the chair.

The Senate bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78. NOES 2.

Those who voted in the affirmative, were

ABBOTT	DALY	HOLBROOK	NOYES	SHELDON
ALLEN	DAY	HOYT	PALMER	SKINNER
ALVORD	DEYOE	HULME	PARKER	STRACK
ASTOR	DUELL	HURD	PATTENGILL	E. TAYLOR
BEARD	FISH	JONES	DEWITT C. PECK	THAIN
BERGEN	FITZGERALD	KEATOR	PEEK	THOMSON
BERRY	FLOYD-JONES	KEEGAN	POOL	VALENTINE
BRUNDAGE	FLYNN	KERN	PRESCOTT	WAKELY
BURNS	FOSTER	KING	REYNOLDS	WARING
CHAPPELL	GALVIN	LANGNER	ROBERTS	WEMPLE
CHASE	GRIGGS	LOVELAND	ROWLAND	WILLERS
CLAPP	HALLIDAY	LOWING	SEARING	WILLIAMS
CONVERSE	HAMILTON	J. H. MILLER	SEEBACHER	WILLIS
CORMACK	HAVENS	S. V. R. MILLER	SEWELL	WINCH
CROWLEY	I. I. HAYES	MOOERS	SHEARD	WORTH
CURRAN	HOBIE	NORTH		

Those who voted in the negative, were

GILBERT MEKEEL

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to regulate the election of permanent members of the Medical Society of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 75.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CLARK	GRIGGS	LOVELAND	SAWYER
ALLEN	CONVERSE	HALLIDAY	LOWING	SEARING
ALVORD	CORMACK	HAMILTON	MCDONOUGH	SEEBACHER
ANDREWS	CROWLEY	HAVENS	MEKEEL	SEWELL
ASTOR	CURRAN	I. I. HAYES	J. H. MILLER	SHEARD
BAKER	DALY	HEPBURN	MOOERS	SUTHERLAND
BEARD	DEYOE	HOBBIE	NIVEN	THAIN
BERGEN	DUELL	HURD	NORTH	THOMSON
BERRY	FISH	JONES	NOYES	WAKELY
BROWNING	FITZGERALD	KEATOR	PALMER	WARING
BRUNDAGE	FLOYD-JONES	KEEGAN	PARKER	WEMPLE
CASE	FLYNN	KELLOGG	CICERO C. PECK	WILBOR
CHAPPELL	FOSTER	KERN	DEWITT C. PECK	WILLIS
CHASE	GALVIN	KING	PEEK	WINCH
CLAPP	GILBERT	LANGNER	POOL	WORTH

Those who voted in the negative, were

PRESCOTT SKINNER WILLERS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to incorporate the Grand Council of Royal Templars of Temperance of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HEPBURN	MEYENBORG	SHEARD
ALLEN	CLARK	HOBBIE	NELSON	SHELDON
ALVORD	CROWLEY	HOYT	NIVEN	SKINNER
ANDREWS	CURRAN	HULME	NORTH	SUTHERLAND
ASTOR	DEYOE	HURD	NOYES	E. TAYLOR
BAKER	DUELL	JONES	PALMER	J. T. TAYLOR
BATHE	FISH	KEATOR	PARKER	THOMSON
BEARD	FLOYD-JONES	KELLOGG	CICERO C. PECK	VALENTINE
BERGEN	FLYNN	KERN	DEWITT C. PECK	WADSWORTH
BERRY	FOSTER	KING	PEEK	WAKELY
BOUCK	GALVIN	LOVELAND	POOL	WARING
BROOKS	GILBERT	LOWING	PRESCOTT	WEMPLE
BRUNDAGE	GRIGGS	MATTISON	REYNOLDS	WHEELER
BURNS	HALLIDAY	MEKEEL	ROBERTS	WILLERS
CASE	HAMILTON	J. H. MILLER	SAWYER	WILLIS
CHAPPELL	HAVENS	S. V. R. MILLER	SEARING	WINCH
CHASE	I. I. HAYES	MOOERS	SEWELL	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to incorporate the Auburn City Hospital," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 76. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	I. I. HAYES	MOOERS	SHEARD
ALLEN	CURRAN	HOBBIE	MEYENBORG	SHELDON
ALVORD	DALY	HOYT	NIVEN	SKINNER
ANDREWS	DAY	HULME	NORTH	SUTHERLAND
BAKER	DEYOE	HURD	NOYES	J. T. TAYLOR
BATHE	DUELL	KEATOR	PALMER	TERRY
BEARD	FISH	KEEGAN	PARKER	THAIN
BERRY	FLOYD-JONES	KELLOGG	PATTERSON	THOMSON
BOUCK	FLYNN	KING	DeWITT C. PECK	WAKELY
BROOKS	FOSTER	LANGNER	PEEK	WEMPLE
BROWNING	FRANK	LOVELAND	PRESCOTT	WHEELER
BRUNDAGE	GALVIN	MATTISON	ROBERTS	WILLERS
CHAPPELL	GRIGGS	MEKEEL	ROWLAND	WILLIS
CHASE	HALLIDAY	J. H. MILLER	SEARING	WINCH
CLAPP	HAMILTON	S. V. R. MILLER	SEEBACHER	WORTH
CLARK				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to provide for the sanitary inspection of common schools and school buildings in the city and county of New York," having been announced for a third reading,

Mr. Thain moved that said bill be recommitted to the committee on public health, with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 69. NOES 9.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HOYT	MEYENBORG	SHELDON
ALLEN	CLARK	HULME	NEILSON	SKINNER
ANDREWS	CONVERSE	JONES	NIVEN	SLITER
ASTOR	CROWLEY	KEATOR	NORTH	SUTHERLAND
BAKER	DALY	KING	NOYES	E. TAYLOR
BATHE	DAY	LOVELAND	PALMER	J. T. TAYLOR
BEARD	FISH	LOWING	PARKER	TERRY
BERGEN	FITZGERALD	MAPES	CICERO C. PECK	VALENTINE
BERRIGAN	FLOYD-JONES	MATTISON	DeWITT C. PECK	WARING
BERRY	FLYNN	MEKEEL	POOL	WILBOR
BOUCK	GRAHAM	J. H. MILLER	SAWYER	WILLERS
BROOKS	HAMILTON	S. V. R. MILLER	SEARING	WILLIS
BROWNING	HAVENS	MOLLER	SEWELL	WINCH
CHAPPELL	HOBBIE	MOOERS	SHEARD	

Those who voted in the negative, were

ALVORD	CURRAN	MCDONOUGH	REYNOLDS	THOMSON
CASE	HOLBROOK	NELSON	THAIN	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A communication was received and read from the Governor in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *May 2, 1878.*

To the Assembly :

In accordance with a joint resolution of the Senate and Assembly, I return for amendment Assembly bill No. 101, entitled "An act to provide for the care, government, protection and improvement of the public park known as Ross park, in the city of Binghamton."

L. ROBINSON.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 10.

Those who voted in the affirmative, were

ABBOTT	DALY	KEATOR	NIVEN	SKINNER
ALVORD	FISH	KEEGAN	NORTH	SLITER
ANDREWS	FLOYD-JONES	KELLOGG	NOYES	STRACK
ASTOR	FOSTER	KERN	PALMER	SUTHERLAND
BAKER	GALVIN	KING	PATTENGILL	E. TAYLOR
BATHE	GILBERT	LANGNER	DEWITT C. PECK	TERRY
BEARD	GRAHAM	LOVELAND	POOL	THAIN
BERRY	GRIGGS	LOWING	PROPER	THOMSON
BOUCK	HALLIDAY	MATISON	PURDY	VALENTINE
BROOKS	HAMILTON	MCDONOUGH	REYNOLDS	WAKELY
BROWNING	HEPBURN	J. H. MILLER	ROWLAND	WEMPLE
CASE	HOBBIE	S. V. R. MILLER	SAWYER	WHEELER
CHASE	HOLBROOK	MOLLER	SEARING	WILBOR
CLAPP	HOYT	MOOERS	SEWELL	WILLERS
CLARK	HULME	MEYENBORG	SHANLEY	WILLIS
CRANDALL	HURD	NEILSON	SHEARD	WINCH
CURRAN	JONES	NELSON	SHELDON	

On motion of Mr. Andrews, and by unanimous consent, said bill was amended, in the words following :

Amend first section, so as to read as follows :

"Section 1. Within ten days after the passage of this act, the mayor of the city of Binghamton shall appoint seven reputable citizens of said city to serve as park commissioners, who are hereby constituted a body corporate, by the name of the Park Commissioners of the City of Binghamton, and in that name they may sue and be sued, prosecute, complain and defend in any court."

Amend section 2, by striking out the word "named," in the first line (printed bill), and inserting the words "so appointed;" and add, after the word "in, at the end of first line (printed bill), the words "pursuance of."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HULME	MEYENBORG	SEWELL
ALVORD	DALY	HURD	NEILSON	SHANLEY
ANDREWS	DEYOE	JONES	NELSON	SHELDON
ASTOR	FISH	KEATOR	NIVEN	SKINNER
BAKER	FITZGERALD	KEEGAN	PALMER	SLITER
BATHE	FLOYD-JONES	KERN	PATTENGILL	STRACK
BEARD	FOSTER	KING	CICERO C. PECK	SUTHERLAND
BERGEN	GALVIN	LANGNER	PEEK	E. TAYLOR
BERRY	GILBERT	LOVELAND	PIPER	TERRY
BOUCK	GRAHAM	LOWING	POOL	THOMSON
BROWNING	GRIGGS	MATTISON	PRESCOTT	VALENTINE
BRUNDAGE	HALLIDAY	MCDONOUGH	PROPER	WAKELY
BURNS	HAMILTON	MEKEEL	REYNOLDS	WEMPLE
CASE	HEPBURN	J. H. MILLER	ROBERTS	WILBOR
CLAPP	HOBBIE	S. V. R. MILLER	ROWLAND	WILLERS
CLARK	HOLBROOK	MOLLER	SAWYER	WILLIS
CONVERSE	HOYT	MOOERS	SEEBACHER	WINCH
CRANDALL				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate bill entitled "An act in relation to evidence in civil and criminal cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	JONES	NIVEN	SHELDON
ALVORD	DEYOE	KEEGAN	NORTH	SKINNER
ANDREWS	FISH	KELLOGG	PALMER	SLITER
ASTOR	FLOYD-JONES	KERN	PATTENGILL	STRACK
BAKER	FLYNN	KING	CICERO C. PECK	SUTHERLAND
BATHE	FOSTER	LANGNER	DEWITT C. PECK	E. TAYLOR
BEARD	GILBERT	LOVELAND	PEEK	TERRY
BOUCK	GRAHAM	LOWING	PIPER	VALENTINE
BROOKS	GRIGGS	MATTISON	POOL	WAKELY
BROWNING	HALLIDAY	MCDONOUGH	PROPER	WARING
BRUNDAGE	HAVENS	MEKEEL	PURDY	WEMPLE
CASE	I. I. HAYES	J. H. MILLER	REYNOLDS	WHEELER
CHAPPELL	HEPBURN	S. V. R. MILLER	ROBERTS	WILBOR
CLAPP	HOBBIE	MOLLER	ROWLAND	WILLERS
CLARK	HOLBROOK	MOOERS	SAWYER	WILLIS
CONVERSE	HOYT	MEYENBORG	SEWELL	WINCH
CRANDALL	HURD	NEILSON	SHEARD	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A message from the Senate was received and read informing of non-concurrence in the passage of the bill entitled as follows :

"An act to provide against the use of unsuitable and dangerous telegraph poles in the city of New York."

The Senate returned the bill entitled "An act in relation to auctioneers," with a message that they have assented to the appointment of a committee of conference upon said bill, and have appointed as such committee Messrs. Hughes, Lippitt, and Turner.

Also, the bill entitled "An act to facilitate the collection of unpaid

taxes in Long Island City," with a message that they have assented to the appointment of a committee of conference upon said bill, and have appointed as such committee Messrs. McCarthy, Goebel, and Oakley.

Mr. Speaker presented a communication from the mayor and board of aldermen of the city of New York in favor of the passage of the bill known as the "Bonded Indebtedness Bill."

On motion of Mr. Alvord, said communication was laid upon the table and ordered printed.

(See Doc No. 132.)

Also, a communication, accompanied by a bill, from the Benefactors' Union of New York city; which was read and referred to the committee on the judiciary.

Also, a communication from the finance department of the city of New York in reference to the bill known as the "Bonded Indebtedness Bill."

On motion of Mr. Alvord, said communication was laid upon the table and ordered printed.

(See Doc. No. 131.)

Mr. Brooks called from the table the concurrent resolution, previously offered by Berry, in the words following:

Resolved (if the Senate concur), That this Legislature will adjourn *sine die* on Friday, the nineteenth day of April, 1878, at twelve, m., of that day.

Mr. Brooks moved to amend said resolution by striking out the words "the nineteenth day of April," and inserting in lieu thereof the words "the tenth day of May."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative, as follows:

AYES 67.

NOES 46.

Those who voted in the affirmative, were

ABBOTT	DALY	KING	DEWITT C. PECK	SUTHERLAND
ALLEN	DEYOE	LOVELAND	PEEK	E. TAYLOR
ANDREWS	FLOYD-JONES	LOWING	POOL	TERRY
ASTOR	GILBERT	MATTISON	PRESCOTT	THOMSON
BEARD	GRIGGS	MEAD	REYNOLDS	TOWNSLEY
BOUCK	HALLIDAY	MEKEEL	ROBERTS	VALENTINE
BROOKS	HEPBURN	J. H. MILLER	ROWLAND	WADSWORTH
BRUNDAGE	HOLBROOK	S. V. R. MILLER	SAWYER	WAKELY
CASE	HOYT	NOYES	SEWELL	WARING
CHAPPELL	HULME	PALMER	SHEARD	WILBOR
CHASE	KEATOR	PARKER	SHELDON	WILLERS
CLAPP	KEEGAN	PATTENGILL	SKINNER	WILLIS
CLARK	KELLOGG	CICERO C. PECK	STRACK	WINCH
CRANDALL	KERN			

Those who voted in the negative, were

ALVORD	CROWLEY	GRAHAM	MAPES	PROPER
BAKER	CURRAN	HAVENS	MCDONOUGH	PURDY
BATHE	DAY	I. I. HAYES	MOLLER	SEARING
BERGEN	FISH	HENRY	MOOERS	SEEBACHER
BERRIGAN	FLYNN	HOBBIE	MEYENBORG	SHANLEY
BROWNING	FOSTER	HOLAHAN	NELSON	STORY
BURNS	FRANK	HURD	NIVEN	J. T. TAYLOR
CLANCY	GALVIN	JONES	NORTH	WEMPLE
CORMACK	GRADY	LANGNER	PATTERSON	WHEELER
CRAWFORD				

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Niven gave notice that he would, at some future day, move to suspend the forty-first rule, in order that Senate bill No. 111, entitled "An act in reference to a site for an additional State prison," may be ordered to a third reading without being considered in committee of the whole.

Mr. Purdy introduced a bill entitled "An act to amend the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Daly presented a petition of citizens of New York, in favor of maintaining the schools of that city, independent of the city departments; which was read and referred to the committee on public education.

Mr. Sawyer presented a petition of lawyers of Tioga county, against the repeal of the Code of Civil Procedure, and for the passage of the supplemental chapters over the Governor's veto; which was read and referred to the committee on the judiciary.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Halliday, Int. No. 426, entitled "An act to amend chapter 807 of the Laws of 1873, entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester, and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,' as amended by chapter 458 of the Laws of 1875, and to extend the provisions thereof to the other counties of the State," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Gilbert, Int. No. 339, entitled "An act to prohibit the defense of usury against executors and administrators," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Strack, Int. No. 242, entitled "An act to secure free exercise and enjoyment of religious profession and worship without discrimination or preference to all mankind confined in State prisons and other places of confinement," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Griggs, Int. No. 473, entitled "An act for the further security of mechanics' liens and furnishing materials mentioned in this act, which shall apply only to the city and county of Albany," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Converse, Int. No. 472, entitled "An act to prevent the use of criminal process in the collection of debts," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Alvord, Int. No. 445, entitled "An act relative to the publication of legal notices and advertisements in newspapers published on Sunday," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Jones, Int. No. 419, entitled "An act to forbid the letting of public work by contract, and to further protect working-

men and laboring people employed on any public work within the limits of this State," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Case, Int. No. 929, entitled "An act to amend chapter 75 of the Laws of 1878, entitled 'An act in relation to the bonded indebtedness of villages, cities, towns and counties,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Jacobs, Int. No. 163, entitled "An act to authorize the county clerk of Kings county to arrange, assort and repair all judgments, decrees, orders and other papers filed or deposited in Kings county clerk's office, and to record and certify mutilated or injured writings affecting the title to real estate in said county, and providing compensation for his services in that respect," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Pomeroy, Int. No. 63, entitled "An act to provide for the review and correction of illegal, erroneous, and unequal assessments," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hicks, Int. No. 209, entitled "An act relating to powers of attorney by married women," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. St. John, Int. No. 89, entitled "An act for the relief of the Columbia Car Spring Company for omitting to file the certificate required by section 11, chapter 40 of the Laws of 1848," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. H. Miller, from the committee on game laws, to which was referred the bill introduced by Mr. Havens, Int. No. 830, entitled "An act to amend chapter 411, Laws of 1877, entitled 'An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sheard, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Frank, Int. No. 904, entitled "An act to extend the operation and effect of the act passed February 17, 1848, and the several acts amendatory thereto, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sheard, from the committee on trade and manufactures, to which was referred the Senate bill introduced by Mr. Pomeroy, Int. No. 225, entitled "An act to amend chapter 489 of the Laws of 1873, entitled 'An act to amend an act entitled An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston,

Otsego, Lewis, Orange, and Dutchess,' passed April 17, 1854, and as amended by chapter 558 of the Laws of 1869, entitled 'An act for the better security of mechanics and others erecting buildings in either of the counties of the State, except the counties of Erie, Kings, Queens, New York, and Onondaga,' reported adversely thereto, which report was agreed to.

Mr. Astor, from the committee on militia, to which was referred the bill introduced by Mr. Astor, Int. No. 905, entitled "An act to amend the name of the Veteran Corps of the National Guard," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Astor, and by unanimous consent, said bill was ordered to a third reading.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Halliday, Int. No. 685, entitled "An act to authorize the several boards of supervisors in the several counties of this State to fix the compensation of court stenographers in their respective counties," reported adversely thereto, which report was agreed to.

Mr. Skinner, from the committee on public printing, to which was referred the bill introduced by Mr. Cosad, Int. No. 222, entitled "An act in relation to the disposition of certain reports made to the Legislature of this State," reported adversely thereto, which report was agreed to.

Mr. Skinner, from the committee on public printing, to which was referred the resolutions relative to printing extra copies of the Annual Report of the State Treasurer; also, the Annual Report of the State Commissioners in Lunacy, reported in favor of the adoption of the same, respectively, amended so as to read as follows:

"Resolved (if the Assembly concur), That 500 copies of the Annual Report of the Treasurer of the State of New York be printed for the use of the Treasurer's office."

"Resolved (if the Assembly concur), That 500 copies of the Report of the State Commissioners in Lunacy be printed for the use of the Commissioners."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, as follows:

AYES 80.

NOES 2.

Those who voted in the affirmative, were

ALLEN	CURRAN	HULME	NIVEN	SHEARD
ALVORD	DALY	HURD	PALMER	SHELDON
ASTOR	DAY	KEATOR	PARKER	SKINNER
BAKER	DEYOE	KEEGAN	PATTENGILL	SLITER
BATHE	FISH	KERN	PATTERSON	SUTHERLAND
BERGEN	FITZGERALD	KING	CICERO C. PECK	E. TAYLOR
BERRIGAN	FLOYD-JONES	LANGNER	PEEK	TERRY
BROWNING	FOSTER	LOVELAND	PIPER	THOMSON
BRUNDAGE	GALVIN	LOWING	POOL	TOWNSLEY
CHAPPELL	GILBERT	MATTISON	PRESCOTT	VALENTINE
CHASE	GRIGGS	MCDONOUGH	REYNOLDS	WADSWORTH
CLANCY	HAMILTON	MEKEEL	ROBERTS	WARING
CLAPP	I. I. HAYES	J. H. MILLER	ROWLAND	WHEELER
CONVERSE	HEPBURN	MOOERS	SAWYER	WILBOR
CRANDALL	HOBBIE	NEILSON	SEEBACHER	WILLIS
CROWLEY	HOYT	NELSON	SEWELL	WINCH

Those who voted in the negative, were

GRADY KELLOGG

Ordered, That the Clerk return said resolutions to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

Mr. Skinner, from the committee on public printing, to which were referred the resolutions relative to printing extra copies of the Annual Report of the Regents of the University and Proceedings of the Convocation; also, the Annual Report of the Central New York Institute for Deaf-Mutes; also, the Report of the Tolls, Trade and Tonnage of the Canals, reported in favor of the adoption of the following resolutions, respectively:

Resolved (if the Senate concur), That one thousand extra copies of the Ninety-first Annual Report of the Regents of the University, with the accompanying documents, be printed and bound in the usual form, for the use of said Regents."

Resolved (if the Senate concur), That five hundred extra copies of the Proceedings of the University Convocation, held in July, 1877, be printed and bound in the usual form, for the use of the said Regents."

Resolved (if the Senate concur), That four hundred copies of the Report on the Tolls, Trade and Tonnage of the Canals for the calendar year of 1877, and one hundred copies of the Auditor's Expenditure Report for the fiscal year ending 30th September, 1877, be printed, for the use of the Auditor of the Canal Department."

Resolved (if the Senate concur), That one thousand extra copies of the Annual Report of the Central New York Institute for Deaf-Mutes be printed for the use of said institute, to be bound in paper covers."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolutions to the Senate, and request their concurrence therein.

Mr. Skinner, from the committee on public printing, to which were referred the resolutions relative to printing extra copies of the Annual Report of the New York Fishery Commission; also, the Annual Report of the Trustees of the State Library; also, the Annual Report of the Board of Managers of the State Reformatory; also, the Annual Report of the State Museum of Natural History, reported in favor of the adoption of the following resolutions, respectively:

Resolved (if the Assembly concur), That one thousand five hundred copies of the Thirty-first Annual Report of the State Museum of Natural History by the Regents of the University, with accompanying documents, be printed and bound for the use of the Regents, and three hundred for the use of the director."

Resolved (if the Assembly concur), That there be printed one thousand extra copies of the Annual Report of the Trustees of the State Library for the use of said trustees, of which five hundred copies shall be bound in cloth and five hundred copies in paper covers."

Resolved (if the Assembly concur), That one thousand extra copies of the Annual Report of the New York Fishery Commission be printed for the use of the commission."

Resolved (if the Assembly concur), That one thousand copies of the Annual Report of the Board of Managers of the State Reformatory at Elmira be printed for the use of the managers of that institution."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk return said resolutions to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Skinner, from the committee on public printing, to which was referred the resolution to print extra copies of the Codes of Civil and Criminal Procedure, reported to the Legislature in 1850, reported adversely to the adoption of the following resolution :

Resolved (if the Assembly concur), That one thousand copies of the Codes of Civil and Criminal Procedure, reported to the Legislature in 1850 as complete, be printed for the use of the Legislature and for distribution."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have non-concurred in the passage of the same.

Mr. Skinner, from the committee on public printing, to which was referred the resolution to furnish extra copies of the Census Report to the officers and employes of the House, reported adversely to the adoption of the following resolution :

Resolved, That the Secretary of State be authorized to furnish to each reporter, and the officers of the House, three copies of the Census Report of 1875."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Skinner, from the committee on public printing, to which was referred the resolution to print copies of the History of the Centennial Celebrations at Kingston, Oriskany, etc., reported in favor of the adoption of the following resolution, amended so as to read as follows (Messrs. Skinner, Curran and Reynolds dissenting):

Whereas, The "centennial" of the adoption of the first Constitution of the State of New York, and the inauguration of the State government thereunder, at Kingston, Ulster county, was appropriately recognized by the New York Historical Society, and afterward duly celebrated at Kingston ; and

Whereas, The "centennial" of the battles of Fort Stanwix, and Oriskany, and Bemis Heights, as well as the battle of Saratoga, were all appropriately celebrated (on the grounds which had been made famous forever in our history) by military display, and the patriotic addresses of distinguished orators and statesmen, and by the inspiring tributes of our poets ; therefore, be it

Resolved (if the Senate concur), That the Secretary of State cause to be prepared and published, in appropriate manner and style, a full and correct record of the proceedings at all said "centennial" celebrations, including therein the official action of the authorities by whom the same were conducted, a statement of the military exercises, and the organizations taking part therein, all historical sketches read, and all addresses and poems prepared and delivered at the several centennial celebrations, and that five thousand copies of the same be prepared and published as aforesaid, ten copies thereof to be furnished to each member, and one copy to each officer and reporter of the present Legislature, and one to each officer of the State government ; one thousand copies to be furnished to the State library for exchange and for distribution to other libraries in the State, and the remainder to be used by the Secretary of

State in supplying persons who made addresses at such celebrations, and the persons officially connected therewith, and to such other persons or institutions as he may deem proper. Also, to accompany this work with views of the old and new Capitol of the State, outside and inside, as far as practicable, with appropriate historical sketches connected therewith; said work to be compiled and executed under the supervision of the Secretary of State, and to be let by him to the lowest responsible bidder; but the entire expense thereof shall not exceed the sum of six thousand dollars."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, as follows:

AYES 70.

NOES 14.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HEPBURN	MCDONOUGH	SEWELL
ALLEN	DALY	HOBBIE	MEKEEL	SHANLEY
ALVORD	DAY	HOYT	J. H. MILLER	SHEARD
BATHE	DEYOE	HULME	MOOERS	SHELDON
BERGEN	FISH	HURD	MEYENBORG	SLITER
BERRIGAN	FITZGERALD	JONES	NEILSON	SUTHERLAND
BERRY	FLYNN	KEATOR	CICERO C. PECK	E. TAYLOR
BROWNING	GALVIN	KELLOGG	DEWITT C. PECK	TOWNSLEY
BRUNDAGE	GILBERT	KERN	PEEK	VALENTINE
CASE	GRADY	KING	PIPER	WARING
CHAPPELL	GRAHAM	LOVELAND	POOL	WEMPLE
CLAPP	GRIGGS	LOWING	PRESCOTT	WHEELER
CONVERSE	HALLIDAY	MAPES	PURDY	WILBOR
CRANDALL	HAMILTON	MATTISON	ROBERTS	WILMS

Those who voted in the negative, were

ASTOR	BROOKS	HAVENS	REYNOLDS	THOMSON
BEARD	CURRAN	HOLAHAN	SKINNER	WILLERS
BOUCK	FOSTER	KEEGAN	THAIN	

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Douglass, Int. No. 342, entitled "An act to amend chapter 465 of the Laws of 1875, entitled 'An act requiring the payment of certain premiums to the fire department of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York, but doing business therein,' passed May 28, 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. King, from the committee on public health, to which was referred the bill introduced by Mr. Berrigan, Int. No. 749, entitled "An act in relation to the Compost Transportation Company," reported adversely thereto.

On motion of Mr. Berrigan, said report was laid upon the table.

Mr. ——— offered, for the consideration of the House, a resolution in the words following:

Resolved, That Senate bill G. O. 396, No. 83, entitled "An act to amend chapter 371 of the Laws of 1877, entitled 'An act to provide for the introduction of an improved system of steam towage upon the canals of the State,'" be considered in the first committee of the whole, not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

On motion of Mr. Wheeler, and by unanimous consent, the Senate bill No. 248, entitled "An act extending the time for the completion of the New York and New England Railroad," was ordered to a third reading.

The House then resolved itself into a committee of the whole upon general orders, and after some time spent therein,

The hour of 2 o'clock having arrived, Mr. Speaker resumed the chair, and announced the House in recess until half-past four P. M.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

The House, in committee of the whole, again proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks, or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs.'"

"An act to provide for the formation of county co-operative insurance companies."

"An act for the better protection of the mechanics of this State, by regulating the use of convict labor in the several prisons of the State, and for other purposes."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. North, from said committee, reported progress on the first and last named bills, and asked and obtained leave to sit again.

Mr. Clapp moved to discharge the committee of the whole from the further consideration of the first named bill, and that the same, as amended in the committee of the whole, be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Clapp moved that said bill be recommitted to the committee on banks, retaining its place in order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. North, from the same committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Berry, from the sub-committee of the whole, presented a report from said committee; which was laid upon the table and ordered printed.

(See Doc. No. 133.)

Mr. Fitzgerald offered, for the consideration of the House, a resolution in the words following:

Resolved, That the Assembly has learned with deep regret of the death, after a lingering illness, of Hon. John Morrissey, who, as a Senator of this State, and a member of Congress of the United States, merited respectful recognition as a well-meaning and upright legislator and a faithful defender of popular rights.

Resolved, That we seize this sad opportunity to place on record our high estimate of his character and official course.

Resolved, That these resolutions be entered on the Assembly journal, and that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said resolutions, and they were unanimously adopted.

Whereupon, the House adjourned until to-morrow morning at 10 o'clock.

FRIDAY, MAY 3, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Edwin Coan.

The journal of yesterday was read and approved.

The Senate returned the bill entitled "An act relating to certain of the public burdens of the various cities of the State," with a message that they had concurred in the passage of the same, with the following amendments :

Strike out all after the enacting clause, and insert the following :

"SECTION 1. For the purposes of this act, the local authority in each of the cities of the State shall be the common council thereof, except in those cities where a board of estimate and apportionment exists, pursuant to law ; and in such cities the local authority shall be such board of estimate and apportionment.

"§ 2. The local authority in each city is hereby authorized and required to fix, determine and regulate, specifically or in gross, as hereinafter provided, in each year, including the year 1878, the fees, percentages, allowances and salaries provided for, in whole or in part, by tax, or from the proceeds of the obligations of the city, of all public officers, employes and others which are or may be payable directly or indirectly out of the treasury or the money of said city, and in regulating such fees, percentages, allowances and salaries, the local authority is authorized, in its discretion, to reduce the number of such officers, employes and others, except judges and justices, and except as herein otherwise provided. They shall provide that the duties of attendants upon the courts, civil and criminal, shall be performed so far as competent persons therefor can be found by retired or pensioned policemen, and by those who from age or from physical causes are incapacitated from ordinary patrol duties, allowing a reasonable compensation for their services to such persons who shall be assigned to such duty by the board of police and shall, when so assigned, receive only such compensation, and shall, while so assigned, be subject to the judge or justice presiding in the court. Whenever, in any city, the board of education, or any other separate department or branch of the city government, has, by existing law, the exclusive right to estimate and appropriate moneys for schools and educational purposes, such right shall not be affected by any thing in this act contained ; but where such estimates and appropriations are under the control or revision of the common council or of a board of estimate and apportionment, then and in that case all appropriations for schools and educational purposes shall be made in gross to the board of education or other department or branch of the city government having charge of the schools and educational interests of the city, as now required by law, and it shall be the duty of such board of education or other department to so distribute all appropriations as that no liability shall be incurred in

excess of the same ; and all reductions in the number of employes of a board or department of education, and of the compensation thereof, shall be under the exclusive direction and control thereof ; and appropriations for salaries shall be made in gross to each department of a city government, and it shall be the duty of the board or head of any department, to which such or any other appropriation may be made, to so apply such appropriation as that no liability shall be incurred in excess of the same, and any violation of such duty by any board or head of department shall be ground of removal of such officer or board. And whenever such appropriation for salaries shall be made in gross to any department, all reductions in the number of employes and in the compensation thereof shall be under the exclusive direction and control of the board or head of such department. All unnecessary offices and employments shall be abolished by each local authority, board of education, and department of a city government, to the extent of their respective jurisdiction over the same, as in this act provided ; and the duties now performed by the incumbents thereof assigned to the incumbent or incumbents of some other officer or employment.

“ § 3. Any judicial or other officer whose salary is, by the Constitution, prohibited from being diminished during his term of office, shall continue to receive and be paid the salary to which he is now entitled ; but his successor shall not receive or be paid from the treasury of such city any sum which would increase his salary as such officer, to a sum in excess of ten thousand dollars per annum.

“ § 4. It shall be the duty of such local authority, where the same is a board of estimate and apportionment, to regulate, fix and determine the sums to be applied and paid during any one year for any purpose, which is or is to become a charge against or a burden upon said city, whether the same is fixed by special law or otherwise, except the proportion of the State tax to be paid by said city and the amount required to be provided by law to pay or to be applied on account of any bonds or stocks of said city, payable from taxation, not otherwise provided for, and the interest on the bonded debt of the city. But nothing herein contained shall be construed as conferring any power to withhold moneys from charitable or other institutions or societies authorized by any existing law, or which may be hereafter specially authorized by law, to receive the same ; nor to reduce the amount authorized by any such law, unless such reductions are made in equal ratios or proportions as to all such institutions and societies.

“ § 5. In every city where the local authority is a board of estimate and apportionment, the powers conferred upon such board shall be exercised and applied so that the aggregate amount raised by tax in such city for the fiscal year next following the time when this act shall take effect, and each subsequent year, for purposes other than the payment of the proportion of the State tax to be paid by said city, and the amount required to be provided by law to pay or to be applied on account of any bonds or stocks of said city, and the interest on the bonded debt of the city, shall be at least two millions of dollars less than the aggregate amount required to be raised by tax in said city for the year eighteen hundred and seventy-eight for said other purposes. After the provisional estimate provided by law to be made each year has been returned by the board of aldermen to the board of estimate and apportionment, and before the final estimate is made as now required by law, the said last mentioned board shall fix such sufficient time or times as may be

necessary to allow the tax-payers of said city to be heard in regard thereto, and the said board shall attend at the time or times so appointed for such hearing; and the said board of estimate and apportionment shall fix in the final estimate the salaries and compensation of all persons paid out of the city treasury, other than for payment of day laborers, not in any department nor under the board of education, so that the aggregate of all the salaries and compensations so fixed and of the appropriations for salaries and compensations to and for the several departments of the city government, and the board of education, other than for payment of day laborers, shall together be at least one million of dollars less than the amount appropriated therefor during the year eighteen hundred and seventy-seven, and the said board of estimate and apportionment shall file with the said final estimate during the month of December in each year, a schedule of the names of all persons whose salaries have been so fixed, the designation of their offices and employments respectively, and the salaries and compensations so fixed for each, which said schedule shall be published in the City Record. In fixing compensations, the salary or compensation to be paid to any person then in office or under employment, may be larger than shall be paid to the person or persons thereafter appointed to the same or similar offices or employments, and provision may be made for the payment of increased salaries to persons who shall have faithfully performed the duties of any office or employment for a period of ten years or more. The number of officers or of employes other than day laborers, shall not be increased beyond the number existing on the thirty-first day of December, eighteen hundred and seventy-seven, except that the number of policemen may be increased in the manner now provided by law, and the salary of any office shall not be increased which, on said last mentioned day, amounted to or exceeded two thousand dollars per annum. From and after the filing of such schedule, it shall not be lawful to change the same for a period of one year thereafter, nor to pay a salary or compensation to the incumbent of any office or employment not therein specified, nor at a greater rate than as shall be therein specified.

“§ 6. The powers by this statute conferred are in addition to the powers now possessed by the local authority of any city, and where such local authority is a board of estimate and apportionment, the power so conferred shall be exercised by such board in making up each year the final estimate of said city. And the concurrent vote of all the members of such board shall be requisite for any action under this act.

“§ 7. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed, and every provision of law establishing the rate or amount of fees, percentages, allowances or salaries aforesaid, payable directly or indirectly out of any city treasury, shall be null and void from and after the day and date on which any reduction in the rate or amount of such fees, percentages, allowances or salaries made by or in pursuance of this act shall take effect.

“§ 8. This act shall take effect immediately.”

Mr. Fish moved to non-concur in the amendments of the Senate thereto, and that a committee of conference be appointed on the part of the House, and a like committee requested on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee on the part of the House Messrs. Fish, Astor, Waring, Daly and Brooks.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in their amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Senate.

The Senate returned the bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs, and maintenance of the canals for the fiscal year commencing on the first day of October, 1878, and to provide for an anticipated deficiency in former appropriations," with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, strike out all from the beginning of line 29 down to and including the word "necessary," in line 35, and insert in lieu thereof the following :

"For the salaries of the Canal Appraisers, or such other person or persons as may, by law, be appointed to perform the duties now performed by the Canal Appraisers, nine thousand dollars ; and, after the first day of October next, the salaries of the Canal Appraisers is hereby fixed at three thousand dollars each, in full of all compensation for their services. For the clerk hire, traveling and incidental expenses of their office, six thousand dollars, or so much thereof as may be necessary."

Section 4, line 6, after the word "the," insert the words "clerk hire and other."

The Senate sent for concurrence a resolution in the words following :

Resolved, That a respectful message be sent to the Assembly asking the return of Assembly bill No. 312, entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs, and maintenance of the canals for the fiscal year commencing on the first day of October, 1878, and to provide for an anticipated deficiency in former appropriations," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill entitled "An act in relation to payment of railroad fares," with a message that they had concurred in the passage of the same, with the following amendments :

Section 1, line 1, strike out the words "all railroad companies are," and insert the words "the Ogdensburgh and Lake Champlain Railroad Company is."

Strike out all of section 2.

Change the number of section 3 to section 2.

Amend the title by adding, at the end thereof, the words "on the Ogdensburgh and Lake Champlain railroad."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 68.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	KELLOGG	PARKER	SEARING
ALVORD	DEYOE	KERN	PATTENGILL	SEWELL
ASTOR	FISH	KING	CICERO C. PECK	SHANLEY
BAKER	FLOYD-JONES	MAPES	DeWITT C. PECK	SHELDON
BATHE	GALVIN	MATTISON	PEEK	SKINNER

BEARD	GILBERT	MEAD	PIPER	SUTHERLAND
BERGEN	HALLIDAY	J. H. MILLER	POOL	THOMSON
BROOKS	HEPBURN	MOLLER	PRESCOTT	TOWNSLEY
BRUNDAGE	HOBBIE	MOOERS	PROPER	VALENTINE
CASE	HOLBROOK	MEYENBORG	REYNOLDS	WAKELY
CHAPPELL	HOYT	NIVEN	ROBERTS	WHEELER
CHASE	JONES	NORTH	ROWLAND	WILBOR
CLANCY	KEATOR	NOYES	SAWYER	WINCH
CLAPP	KEEGAN	PALMER		

For the negative,
NELSON

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate sent for concurrence the bills entitled as follows :

"An act to further amend chapter 366 of the Laws of 1859, entitled 'An act to establish an insurance department,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act amending the Code of Civil Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize the acts and proceedings of the inhabitants and trustees of school district No. 29, in the town and county of Onondaga," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

"An act to legalize the action of the annual town meeting of the town of Johnstown, in the county of Fulton, held on the 12th and 13th days of February, 1878, in raising money for roads and bridges, and authorizing the collection thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act relating to the publication of legal notices in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to provide for the erection of an iron bridge at Fourth avenue and the eastern boulevard at One Hundred and Sixteenth street, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to provide for the opening, grading, and paving of a certain portion of De Kalb avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read informing of non-concurrence in the passage of the bill entitled as follows :

"An act providing for reports of births, marriages and deaths, the registry of vital statistics, and the regulation of interments."

The Senate returned the bills entitled as follows :

“An act to change the location of one of the bridges over the Champlain canal.”

“An act to exempt the town of Waterford and the town of Hadley, in the county of Saratoga, from the provisions of chapter 99 of the Laws of 1877, entitled ‘An act to exempt the counties of Suffolk (except the town of Islip), Onondaga, Saratoga (except Saratoga Springs), Ontario, Yates, Rensselaer, Genesee, Schenectady, Monroe, Livingston, Otsego, Schoharie, Niagara and Orleans, from the provisions and operation of chapter 180 of the Laws of 1875, entitled An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.’”

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolutions for printing 1,000 copies of the Report of the State Commissioner in Lunacy ; and also for printing 1,500 copies of the Annual Report of the Treasurer of the State of New York, with messages that they have concurred in the amendments of the Assembly thereto, respectively.

Ordered, That the Clerk return said resolutions to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same :

“An act authorizing the appraisal and sale of a certain lot of land belonging to the State, lying and being in the village of Johnstown, in the county of Fulton.”

“An act to extend the jail limits of Orange county.”

“An act to amend chapter 180 of the Laws of 1876, entitled ‘An act amending an act entitled An act amending and revising and consolidating the several acts in relation to the village of Greenbush,’ passed March 22, 1854, and April 29, 1863, passed April 25, 1871, passed April 26, 1876.”

“An act to repeal chapter 449 of the Laws of 1867, entitled ‘An act to incorporate the village of Douglass,’ and the several acts amendatory thereof.”

“An act to amend section 28, chapter 482 of the Laws of 1875, entitled ‘An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.’”

“An act for the relief of the Canterbury Fire Engine Company, in Orange county, and to amend chapter 272 of the Laws of 1830, entitled ‘An act to incorporate the Canterbury Fire Company.’”

“An act in relation to the election of officers in certain school districts.”

“An act to release to Jane Barry, of the town of Fallsburgh, Sullivan county, New York, the right, title and interest of the people of the State of New York in the real estate of which William Rescola died seized.”

“An act to incorporate the Tornado Hook and Ladder Company No. 1, of the village of Union, Broome county, New York.”

“An act to secure the better application of funds to relieve the poor in the town of Plattsburgh, in the county of Clinton.”

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled “An act in relation to auctioneers,” with a message that they had agreed to a report of the committee of conference on said bill in the words following :

The committee of conference appointed by the Senate and Assembly, to which was referred the matter in difference between the two Houses upon the Assembly bill entitled “An act in relation to auctioneers,” hav-

ing met and duly considered the same, have agreed to recommend that the Assembly concur in the amendment made thereto by the Senate, as modified by the conference committee, so that it shall read as follows: "sold upon farms, and property which may be owned by any person residing in any of the towns and villages in this State, and which has not been purchased for the purposes of a sale at auction."

CHARLES HUGHES,
Ch'n Senate Committee.

ABM. REYNOLDS,
Ch'n Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOYT	NELSON	SHELDON
ALLEN	CRANDALL	HULME	NIVEN	SKINNER
ALVORD	DALY	JONES	NORTH	STORY
ANDREWS	DEYOE	KEEGAN	NOYES	SUTHERLAND
ASTOR	FISH	KERN	PARKER	E. TAYLOR
BAKER	FLOYD-JONES	KING	CICERO C. PECK	THAIN
BEARD	FOSTER	MATTISON	DEWITT C. PECK	THOMSON
BERGEN	GALVIN	MCDONOUGH	PEEK	TOWNSLEY
BERRIGAN	GILBERT	MEAD	PIPER	VALENTINE
BROOKS	GRAHAM	MEKEEL	PRESCOTT	WAKELY
BROWNING	GRIGGS	J. H. MILLER	PURDY	WARING
BRUNDAGE	HALLIDAY	S. V. R. MILLER	REYNOLDS	WILBOR
CHAPPELL	HAMILTON	MOLLER	ROBERTS	WILLERS
CLANCY	HAVENS	MOOERS	ROWLAND	WINCH
CLAPP	HOBBIE	MEYENBORG	SAWYER	WORTH
CONVERSE	HOLBROOK	NEILSON	SEEBACHER	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the conference committee.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Graham, Int. No. 784, entitled "An act in relation to suits brought to remove clouds upon title of real estate," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Edick, Int. No. 215, entitled "An act to authorize corporations organized under the laws of this State to reduce their capital stock," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Robertson, Int. No. 221, entitled "An act to make effectual judicial decrees against unknown owners," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Marvin, Int. No. 133, entitled "An act for the relief of John Waller, Jr., reported in favor of the passage of the same

(Mr. Piper dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Marvin, Int. No. 216, entitled "An act to authorize the appointment of a librarian to take charge of the library of the sixth judicial district, and to provide for the insurance thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 223, entitled "An act for the dissolution of the corporation known as the Jews' Orphan and Indigent Asylum in New York, and for the division of its property," reported in favor of the passage of the same, which report was agreed to, and, by unanimous consent, said bill was ordered to a third reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 167, entitled "An act affecting certain streets within the improvement district in Long Island City," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Keegan, and by unanimous consent, said bill was ordered to a third reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 173, entitled "An act in relation to the city government of Long Island City," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Keegan, and by unanimous consent, said bill was ordered to a third reading.

On motion of Mr. Frank, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to amend chapter 442 of the Laws of 1877, entitled 'An act to authorize the recovery at law for certain printing done for, and stationery furnished to the boards of aldermen and assistant aldermen in the city of New York,' passed June 5, 1877," and the same was ordered engrossed for a third reading.

Mr. Worth, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Seebacher, Int. No. 26, entitled "An act to amend an act in relation to the rates of wharfage, and to regulate piers, wharves, bulk-heads and slips in the cities of New York and Brooklyn," reported and moved that said bill be printed and recommended to the committee on commerce and navigation.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Deyoe, Int. No. 844, entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and the several acts amendatory thereof," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 763 of the Laws of 1872, entitled 'An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs,' passed March 26, 1866, and the acts amendatory thereof,' which report was agreed to, and said bill was committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was

referred the bill introduced by Mr. Skinner, Int. No. 927, entitled "An act to amend section 90 of chapter 426 of the Laws of 1847, as re-enacted by section 32 of chapter 628 of the Laws of 1874," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 426 of the Laws of 1847, as re-enacted by section 32 of chapter 628 of the Laws of 1874," which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. H. Miller, from the committee on game laws, to which was referred the bill introduced by Mr. Clark, Int. No. 942, entitled "An act to confer on the board of supervisors of the county of Yates powers of local legislation for the protection and preservation of birds, game, and fish within the territorial jurisdiction of said county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. H. Miller, from the committee on game laws, to which was referred the Senate bill introduced by Mr. Hicks, Int. No. 228, entitled "An act to amend chapter 411 of the Laws of 1877, entitled 'An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. H. Miller, from the committee on game laws, to which was referred the Senate bill introduced by Mr. Jacobs, Int. No. 255, entitled "An act for the preservation of fish, and to prevent the deposit of carrion or any deleterious substances on any fishing grounds, or in any rivers, creeks or waters within or adjacent to the county of Kings," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Berry called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 390, No. 346, "An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine-salt lots on the Onondaga Salt Springs Reservation by the Commissioners of the Land Office,' passed April 18, 1874."

Senate, G. O. 632, No. 254, "An act to release the interest of the people of the State of New York in and to certain surplus moneys arising upon the sale of certain land of which Dederick Harth died seized."

G. O. 462, No. 412, "An act to amend chapter 664 of the Laws of 1873, entitled 'An act to organize the village of Monticello into a separate school district, and to provide for the purchase of a site and erection of a school edifice.'"

Senate, G. O. —, No. 277, "An act to legalize the State and county taxes in the city of Cohoes, Albany county, for the years 1870, 1871, 1872, 1873, 1874, 1875, 1876 and 1877, and to provide for the collection thereof, and to authorize the sale of lands in the city of Cohoes for unpaid State and county taxes."

G. O. 570, No. 495, "An act in relation to the bonded debt of the town of White Plains, in the county of Westchester."

G. O. 581, No. 501, "An act to amend chapter 401 of the Laws of 1877, entitled 'An act to amend chapter 767 of the Laws of 1872, entitled An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution.'"

Senate, G. O. —, No. 271, "An act in relation to the term of office of the keeper of the morgue of Kings county." [With amendments.]

G. O. 608, No. 519, "An act to provide for the distribution of the acts of the Legislature to town clerks' offices."

G. O. 604, No. 515. "An act in relation to the manual labor school upon the Tonawanda reservation."

G. O. 598, No. 512, "An act for the protection of life and limb." [With amendments.]

G. O. 590, No. 506, "An act in relation to the assessment for the repavement of Atlantic avenue with granite pavement, in the city of Brooklyn." [With amendments.]

Senate, G. O. —, No. 208, "An act in relation to the taking of clams, oysters and shell fish within the waters of this State, and dredging the same." [With amendments.]

The question being on agreeing to said report,

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bills were ordered engrossed, and to a third reading.

Mr. Valentine, from the committee on internal affairs, to which was referred the bill introduced by Mr. Wakely, Int. No. 947, entitled "An act defining the duties and powers of boards of town auditors," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was recommitted the bill introduced by Mr. Chappell, Int. No. 761, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages'" (retaining its place in the order of third reading of bills), reported in favor of the passage of the same, with amendments, which report was agreed to.

Mr. D. W. C. Peck, from the committee on public education, to which was recommitted the bill introduced by Mr. Astor, Int. No. 610, entitled "An act in relation to the principals of the schools under the charge of the board of education of the city of New York" (retaining its place in the order of third reading of bills), reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to improve Flushing avenue, Long Island City."

"An act to further amend chapter 831 of the Laws of 1871, entitled 'An act for the protection of private parks and grounds, and to encourage the propagation of fish and game.'"

"An act to amend chapter 103 of the Laws of 1877, entitled 'An act to facilitate the construction of narrow gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850."

"An act for the relief of the Port Byron Free School district, in the town of Mentz, in the county of Cayuga."

"An act to amend chapter 241 of the Laws of 1877, entitled 'An act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance.'"

"An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and the acts amendatory thereof."

"An act to amend chapter 482, Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

"An act to amend an act passed April, 1862, entitled 'An act for the better protection of life and property in the city of Brooklyn.'"

"An act to change the location of the court houses and clerk's office of Richmond county by a majority vote of the board of supervisors of said county, and a vote of approval by the electors of said county."

"An act to provide for the construction of storm or surface water sewers in the city of Brooklyn."

"An act to legalize the acts and proceedings of David P. Brooks, a justice of the peace in the town of Hume, Allegany county."

"An act to revise and consolidate the several acts relating to the support and care of State paupers, and to provide for the employment at labor of certain vagrant and idle persons."

"An act to amend chapter 303 of the Laws of 1877, entitled 'An act further to amend chapter 502 of the Laws of 1869, entitled An act to amend an act entitled Act to amend an act entitled An act to incorporate the village of Flushing,' and the several acts amendatory thereof."

"An act in relation to the repaving of streets in the city of Syracuse, and to amend the charter of said city."

"An act to provide for the measurement of water in cities and incorporated villages in this State."

"An act to amend section 1 of chapter 225 of the Laws of 1877, entitled 'An act to establish the boundary line between the towns of Jay and Wilmington, in the county of Essex, and to confirm the past jurisdiction of said towns respectively in relation to said line.'"

"An act to provide for the preservation of fish in Monroe county."

"An act to amend chapter 41 of the Laws of 1861, entitled 'An act to incorporate the veterans of the National Guard, Seventh regiment, First division, New York State militia.'"

Mr. Worth, from the committee on affairs of cities, to which was recommitted the Senate bill, Int. No. 205, entitled "An act to establish the rights of citizens of this State to carry on their business in all parts thereof," reported in favor of the passage of the same (Messrs. Holahan and I. I. Hayes dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was recommitted the bill introduced by Mr. Andrews, Int. No. 644, entitled "An act relating to railroads conducted by receivers," reported in favor of the passage of the same, with amendments (retaining its place on the order of third reading of bills), which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Andrews introduced a bill entitled "An act to authorize the board of supervisors of the county of Broome to issue bonds for the purpose of raising money to pay the indebtedness of the county to the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

The Senate bill entitled "An act to establish the right of citizens of this State to carry on their business in all parts thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 77. NOES 12.

Those who voted in the affirmative, were

ABBOTT	DOUGLASS	HULME	NORTH	SHEARD
ALVORD	DUELL	JONES	NOYES	SHELDON
ASTOR	FISH	KEEGAN	PALMER	SKINNER
BEARD	FLOYD-JONES	KELLOGG	PATTENGILL	STORY
BERGEN	FLYNN	KERN	CICERO C. PECK	SUTHERLAND
BERRY	FOSTER	KING	DeWITT C. PECK	E. TAYLOR
BRUNDAGE	GILBERT	MATTISON	PEEK	TERRY
CASE	GRIGGS	MEAD	PIPER	THOMSON
CHAPPELL	HALLIDAY	MEKEEL	POOL	VALENTINE
CHASE	HAMILTON	J. H. MILLER	PRESCOTT	WAKELY
CURRAN	HAVENS	S. V. R. MILLER	REYNOLDS	WARING
CLAPP	HENRY	MOLLER	ROBERTS	WILBOR
CLARK	HEPBURN	MOOERS	SAWYER	WILLERS
CONVERSE	HOBBIE	MEYENBORG	SEWELL	WILLIAMS
COSAD	HOLBROOK	NEILSON	SHANLEY	WORTH
CROWLEY	HOYT			

Those who voted in the negative, were

BAKER	BROWNING	GRADY	McDONOUGH	SEEBACHER
BATHE	FRANK	HOLAHAN	PROPER	THAIN
BERRIGAN	GALVIN			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act extending the time for the completion of the New York and New England railroad," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 85. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HURD	NELSON	SKINNER
ALVORD	DEYOE	JONES	NORTH	STORY
ANDREWS	DUELL	KEEGAN	NOYES	STRACK
ASTOR	FISH	KERN	PATTENGILL	SUTHERLAND
BAKER	FLOYD-JONES	KING	CICERO C. PECK	E. TAYLOR
BATHE	FOSTER	LOWING	DeWITT C. PECK	THAIN
BEARD	GILBERT	MAPES	PEEK	THOMSON
BERRY	GRADY	MATTISON	PIPER	TOWNSLEY
BROWNING	GRAHAM	McDONOUGH	POOL	VALENTINE
BRUNDAGE	GRIGGS	MEAD	PRESCOTT	WAKELY
CASE	HAMILTON	MEKEEL	REYNOLDS	WARING
CHAPPELL	HAVENS	J. H. MILLER	ROBERTS	WHEELER
CHASE	HEPBURN	S. V. R. MILLER	SAWYER	WILBOR
CLAPP	HOBBIE	MOLLER	SEARING	WILLERS
CONVERSE	HOLBROOK	MOOERS	SEWELL	WILLIAMS
CRANDALL	HOYT	MEYENBORG	SHEARD	WINCH
CROWLEY	HULME	NEILSON	SHELDON	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Hurd offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill (not printed, G. O. 695), entitled "An act to provide for the measurement of water in cities and incorporated villages in this State," be recommitted to the committee on affairs of villages, retaining its place on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 176 of the Laws of 1831, entitled 'An act incorporating the University of the city of New York,'" having been announced for a third reading,

Mr. Browning moved that said bill be recommitted to the committee on public education, with instructions to strike out, in first section, all after the word "York," in line 1, down to and including the word "attorney," in line 16, and insert the words "the general term of the Supreme Court of the third department shall appoint three examiners, who shall be practicing lawyers of at least seven years' standing at the bar."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. D. W. C. Peck, from said committee, reported the same back to the House, amended pursuant to instructions.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	JONES	NIVEN	SHELDON
ALVORD	CRANDALL	KEATOR	NORTH	SKINNER
ASTOR	CURRAN	KEEGAN	PATTENGILL	SLITER
BAKER	DEYOE	KELLOGG	CICERO C. PECK	STORY
BATHE	DUELL	KERN	DEWITT C. PECK	SUTHERLAND
BEARD	FISH	KING	PEEK	E. TAYLOR
BERGEN	FLOYD-JONES	MAPES	PIPER	TERRY
BERRY	FOSTER	MATTISON	PURDY	THOMSON
BROOKS	GILBERT	MCDONOUGH	REYNOLDS	TOWNSLEY
BROWNING	GRIGGS	MEAD	ROBERTS	VALENTINE
BRUNDAGE	HAVENS	MEKEEL	ROWLAND	WAKELY
CASE	HEPBURN	J. H. MILLER	SAWYER	WEMPLE
CHAPPELL	HOBBIE	S. V. R. MILLER	SEARING	WHEELER
CHASE	HOLAHAN	MOLLER	SEEBACHER	WILBOR
CLAPP	HOLBROOK	MOOERS	SEWELL	WILLERS
CLARK	HOYT	MEYENBORG	SHANLEY	WORTH
CONVERSE	HULME	NEILSON	SHEARD	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to improve Flushing avenue, Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	KERN	DEWITT C. PECK	STRACK
ALLEN	CROWLEY	KING	PIPER	SUTHERLAND
ALVORD	CURRAN	MAPES	POOL	E. TAYLOR
ANDREWS	DOUGLASS	MATTISON	PRESCOTT	TERRY
ASTOR	DUELL	MCDONOUGH	PROPER	THOMSON
BAKER	FLOYD-JONES	MEAD	PURDY	VALENTINE
BATHE	FLYNN	MEKEEL	ROBERTS	WADSWORTH
BEARD	GRIGGS	J. H. MILLER	ROWLAND	WAKELY
BERGEN	HAVENS	S. V. R. MILLER	SAWYER	WARING
BERRY	HOBBIE	MOLLER	SEARING	WEMPLE
BROOKS	HOLBROOK	NEILSON	SEEBACHER	WHEELER
BROWNING	HOYT	NIVEN	SEWELL	WILBOR
BRUNDAGE	HULME	NORTH	SHEARD	WILLIAMS
CASE	HURD	NOYES	SHELDON	WILLIS
CHAPPELL	JONES	PALMER	SKINNER	WINCH
CLAPP	KEEGAN	PATTENGILL	SLITER	WORTH
CLARK	KELLOGG	CICERO C. PECK	STORY	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to further amend the act entitled 'An act for the protection of private parks and grounds, and to encourage the propagation of fish and game,' passed April 21, 1871, and amended by chapter 347 of the Laws of 1876," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DEYOE	HULME	NELSON	SEWELL
ALLEN	DUELL	HURD	NIVEN	SHELDON
ALVORD	FISH	JONES	NORTH	SKINNER
ASTOR	FITZGERALD	KEATOR	NOYES	STORY
BAKER	FLOYD-JONES	KEEGAN	PALMER	SUTHERLAND
BATHE	FLYNN	KELLOGG	DEWITT C. PECK	E. TAYLOR
BEARD	FOSTER	KERN	PEEK	J. T. TAYLOR
BERGEN	FRANK	KING	PIPER	TERRY
BERRIGAN	GILBERT	MATTISON	POOL	THOMSON
BROOKS	GRAHAM	MCDONOUGH	PRESCOTT	VALENTINE
BROWNING	GRIGGS	MEAD	PROPER	WAKELY
BRUNDAGE	HAMILTON	J. H. MILLER	PURDY	WARING
BURNS	HAVENS	S. V. R. MILLER	ROBERTS	WEMPLE
CASE	I. I. HAYES	MOLLER	ROWLAND	WILBOR
CLAPP	HOBBIE	MOOERS	SAWYER	WILLIS
CLARK	HOLBROOK	MEYENBORG	SEARING	WINCH
CRANDALL	HOYT	NEILSON	SEEBACHER	WORTH
CURRAN				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. I. I. Hayes offered, for the consideration of the House, a resolution in the words following:

Resolved, That a respectful message be sent to the Senate asking for the return of the concurrent resolution passed by the Assembly May 2d providing for the final adjournment of the Legislature on the 10th instant.

Mr. I. I. Hayes moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative, as follows :

AYES 61.

NOES 46.

Those who voted in the affirmative, were

ALLEN	CONVERSE	FRANK	HURD	PEEK
ALVORD	CRANDALL	GALVIN	JONES	PIPER
ANDREWS	CRAWFORD	GRADY	KEEGAN	PROPER
BAKER	CROWLEY	GRAHAM	MCDONOUGH	PURDY
BATHE	CURRAN	HAMILTON	MEAD	SEARING
BERGEN	DOUGLASS	HAVENS	MEKEEL	SEEBACHER
BERRIGAN	DUELL	I. I. HAYES	MEYENBORG	SHANLEY
BERRY	FISH	J. HAYES	NELSON	STORY
BOUCK	FITZGERALD	HENRY	NELSON	J. T. TAYLOR
BROWNING	FLOYD-JONES	HOBIE	NIVEN	THAIN
BURNS	FLYNN	HOLAHAN	NORTH	WILBOR
CHASE	FOSTER	HULME	PARKER	WORTH
CLANCY				

Those who voted in the negative, were

ABBOTT	DEYOE	MATTISON	POOL	SUTHERLAND
ASTOR	GILBERT	J. H. MILLER	PRESCOTT	E. TAYLOR
BEARD	HALLIDAY	S. V. R. MILLER	REYNOLDS	TERRY
BROOKS	HEPBURN	MOLLER	ROWLAND	THOMSON
BRUNDAGE	HOLBROOK	MOOERS	SEWELL	VALENTINE
CASE	HOYT	NOYES	SHEARD	WARING
CHAPPELL	KELLOGG	PALMER	SHELDON	WILLERS
CLAPP	KERN	CICERO C. PECK	SKINNER	WILLIAMS
CLARK	KING	DEWITT C. PECK	STRACK	WINCH
COSAD				

Ordered, That the Clerk deliver said resolution to the Senate.

The bill entitled "An act to amend chapter 103 of the Laws of 1877, entitled 'An act to facilitate the construction of narrow-gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	JONES	NIVEN	SHEARD
ALLEN	DALY	KEATOR	NORTH	SHELDON
ALVORD	DEYOE	KEEGAN	PARKER	STRACK
ANDREWS	DUELL	KELLOGG	PATTENGILL	SUTHERLAND
BAKER	FISH	KERN	CICERO C. PECK	E. TAYLOR
BERGEN	FLOYD-JONES	KING	DEWITT C. PECK	J. T. TAYLOR
BERRY	FOSTER	MATTISON	PEEK	TERRY
BOUCK	GALVIN	MCDONOUGH	PIPER	THOMSON
BROOKS	GRAHAM	MEAD	POOL	TOWNSLEY
BROWNING	HALLIDAY	MEKEEL	PRESCOTT	VALENTINE
BURNS	HAMILTON	J. H. MILLER	PROPER	WAKELY
CASE	HAVENS	S. V. R. MILLER	REYNOLDS	WARING
CLAPP	I. I. HAYES	MOLLER	ROBERTS	WEMPLE
CLARK	HEPBURN	MOOERS	ROWLAND	WHEELER
CONVERSE	HOLBROOK	MEYENBORG	SEARING	WILBOR
CRANDALL	HULME	NELSON	SEEBACHER	WILLIS
CRAWFORD	HURD	NELSON	SEWELL	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Niven offered, for the consideration of the House, a resolution in the words following :

Resolved, That when this House adjourns to-day, it adjourn to meet on Monday evening at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, as follows :

AYES 58.

NOES 31.

Those who voted in the affirmative, were

ABBOTT	DUELL	HULME	MEYENBORG	SEWELL
ALLEN	FITZGERALD	JONES	NELSON	SHANLEY
ANDREWS	FRANK	KEEGAN	NIVEN	SUTHERLAND
BATHE	GALVIN	KELLOGG	NORTH	E. TAYLOR
BERGEN	GILBERT	KERN	NOYES	THOMSON
BERRY	GRADY	MAPES	PEEK	TOWNSLEY
CHASE	GRAHAM	MCDONOUGH	PROPER	VALENTINE
CLANCY	GRIGGS	MEAD	ROBERTS	WAKELY
CONVERSE	HAVENS	MEEKEL	ROWLAND	WARING
COSAD	HENRY	J. H. MILLER	SAWYER	WEMPLE
CRAWFORD	HOLAHAN	MOLLER	SEEBACHER	WORTH
DOUGLASS	HOLBROOK	MOOERS		

Those who voted in the negative, were

ALVORD	DALY	PALMER	REYNOLDS	THAIN
BEARD	FLOYD-JONES	PARKER	SHEARD	WILBOR
BOUCK	FOSTER	PATTENGILL	SHELDON	WILLERS
BROOKS	HEPBURN	CICERO C. PECK	SKINNER	WILLIAMS
BROWNING	KING	DEWITT C. PECK	STRACK	WINCH
CLAPP	MATTISON	PRESCOTT	TERRY	SPEAKER
CLARK				

The bill entitled "An act for the relief of the Port Byron Free School district, in the town of Mentz, in the county of Cayuga," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HURD	NIVEN	SHANLEY
ALVORD	DALY	JONES	NORTH	SHEARD
ANDREWS	DOUGLASS	KEEGAN	NOYES	SHELDON
BAKER	DUELL	KELLOGG	PARKER	SKINNER
BATHE	FITZGERALD	KING	PATTENGILL	SUTHERLAND
BEARD	FLOYD-JONES	MAPES	CICERO C. PECK	E. TAYLOR
BROOKS	FOSTER	MATTISON	DEWITT C. PECK	J. T. TAYLOR
BROWNING	GALVIN	MCDONOUGH	PEEK	THAIN
BURNS	GILBERT	MEKEEL	PIPER	THOMSON
CASE	GRADY	J. H. MILLER	PRESCOTT	TOWNSLEY
CHAPPELL	GRIGGS	S. V. R. MILLER	REYNOLDS	VALENTINE
CHASE	HAMILTON	MOLLER	ROBERTS	WARING
CLAPP	HAVENS	MOOERS	ROWLAND	WEMPLE
CLARK	I. I. HAYES	MEYENBORG	SEARING	WILBOR
CONVERSE	HEPBURN	NEILSON	SEEBACHER	WINCH
CRANDALL	HOLBROOK	NELSON	SEWELL	WORTH
CRAWFORD	HULME			

For the negative,

PALMER

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Indefinite leave of absence was granted to De Witt C. Peck.

The bill entitled "An act to amend chapter 241 of the Laws of 1877, entitled 'An act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	FLOYD-JONES	MCDONOUGH	POOL	SUTHERLAND
ALVORD	FOSTER	MEAD	PRESCOTT	E. TAYLOR
ANDREWS	GALVIN	J. H. MILLER	PROPER	TERRY
ASTOR	GILBERT	S. V. R. MILLER	REYNOLDS	THAIN
BAKER	GRAHAM	MOOERS	ROBERTS	THOMSON
BEARD	GRIGGS	MEYENBORG	ROWLAND	TOWNSLEY
BERGEN	HAMILTON	NEILSON	SAWYER	VALENTINE
BOUCK	HAVENS	NELSON	SEARING	WAKELY
BROOKS	HEPBURN	NIVEN	SEEBACHER	WARING
CASE	HOLAHAN	NORTH	SHANLEY	WEMPLE
CHAPPELL	HOLBROOK	PALMER	SHEARD	WHEELER
CHASE	JONES	PARKER	SHELDON	WILBOR
CLAPP	KEEGAN	PATTENGILL	SKINNER	WILLERS
CLARK	KELLOGG	DEWITT C. PECK	SLITER	WILLIS
DALY	KERN	PEEK	STORY	WINCH
DUELL	MAPES	PIPER	STRACK	WORTH
FISH	MATTISON			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill entitled "An act to change the location of the court houses and clerk's office of Richmond county by a majority vote of the board of supervisors of said county, and a vote of approval by the electors of said county," having been announced for a third reading,

On motion of Mr. Brooks, and by unanimous consent, said bill was amended as follows :

Strike out, in section 1, the words "that may be designated by a vote of the qualified electors of the county of Richmond, to be taken as hereinafter provided."

Strike out, in line 14, section 2, the word "insurance."

Strike out, in section 5, the words "and such blank, in said ballot, shall be filled by inserting the name of such place in the county of Richmond, to which such voter may choose to have the same court-house and clerk's office located ;" also the words "by the largest number of ballots."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	DALY	HULME	NORTH	SHELDON
ALVORD	DOUGLASS	JONES	PALMER	SKINNER
ANDREWS	DUELL	KEEGAN	PATTENGILL	SUTHERLAND
ASTOR	FISH	KELLOGG	CICERO C. PECK	E. TAYLOR
BAKER	FITZGERALD	KERN	DEWITT C. PECK	J. T. TAYLOR
BATHE	FLOYD-JONES	MATTISON	PEEK	TERRY

BEARD	FLYNN	MCDONOUGH	PIPER	THAIN
BERRIGAN	FOSTER	MEAD	POOL	THOMSON
BROOKS	GALVIN	MEKEEL	PRESCOTT	VALENTINE
BRUNDAGE	GRAHAM	S. V. R. MILLER	PURDY	WAKELY
CASE	GRIGGS	MOLLER	REYNOLDS	WARING
CHAPPELL	HAMILTON	MOOERS	ROWLAND	WEMPLE
CHASE	HAVENS	MEYENBORG	SAWYER	WILBOR
CLAPP	I. I. HAYES	NEILSON	SEARING	WILLERS
CRANDALL	HEPBURN	NELSON	SEEBACHER	WINCH
CRAWFORD	HOYT	NIVEN	SHANLEY	WORTH
CROWLEY				

For the negative,

MAPES

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and the acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 85. NOES 00.

Those who voted in the affirmative, were

ABBOTT	DEYOE	KEATOR	NORTH	SHELDON
ALVORD	DUELL	KEEGAN	NOYES	SKINNER
ANDREWS	FISH	KELLOGG	PARKER	SUTHERLAND
ASTOR	FITZGERALD	KERN	PATTENGILL	E. TAYLOR
BAKER	FLOYD-JONES	MAPES	DEWITT C. PECK	J. T. TAYLOR
BEARD	FLYNN	MATTISON	PEEK	TERRY
BERRIGAN	FOSTER	MCDONOUGH	PIPER	THAIN
BERRY	FRANK	MEAD	POOL	THOMSON
BOUCK	GILBERT	MEKEEL	PRESCOTT	TOWNSLEY
BRUNDAGE	GRIGGS	J. H. MILLER	REYNOLDS	VALENTINE
BURNS	HAMILTON	S. V. R. MILLER	ROBERTS	WAKELY
CASE	HAVENS	MOLLER	ROWLAND	WARING
CHAPPELL	I. I. HAYES	MOOERS	SAWYER	WEMPLE
CHASE	HEPBURN	MEYENBORG	SEARING	WILBOR
CONVERSE	HOYT	NEILSON	SEEBACHER	WILLERS
CRANDALL	HULME	NELSON	SHANLEY	WINCH
DALY	JONES	NIVEN	SHEARD	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 482, Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83. NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	HULME	NELSON	SHELDON
ALLEN	DEYOE	HURD	NORTH	SKINNER
ALVORD	DOUGLASS	JONES	PARKER	SUTHERLAND

ANDREWS	DUELL	KEATOR	PATTENGILL	E. TAYLOR
ASTOR	FISH	KEEGAN	DEWITT C. PECK	J. T. TAYLOR
BEARD	FITZGERALD	KELLOGG	PEEK	TERRY
BERGEN	FLOYD-JONES	KERN	PIPER	THOMSON
BERRIGAN	FLYNN	MAPES	POOL	VALENTINE
BOUCK	FRANK	MATTISON	PRESCOTT	WAKELY
BROOKS	GALVIN	MCDONOUGH	REYNOLDS	WARING
BRUNDAGE	GILBERT	MEAD	ROBERTS	WEMPLE
CHAPPELL	GRAHAM	MEKEEL	ROWLAND	WILBOR
CHASE	HAMILTON	J. H. MILLER	SAWYER	WILLERS
CLAPP	HAVENS	S. V. R. MILLER	SEARING	WILLIAMS
CLARK	I. I. HAYES	MOLLER	SEWELL	WINCH
CRANDALL	HEPBURN	MOOERS	SHEARD	WORTH
CRAWFORD	HOYT	MEYENBORG		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. McDonough offered, for the consideration of the House, a resolution in the words following :

Resolved, That a committee of nine be appointed, on the part of this House, to attend the funeral of the late Hon. John Morrissey, at Troy, on Saturday, May eleventh.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. McDonough, J. Hayes, Fitzgerald, I. I. Hayes, Astor, Williams, Galvin, Daly, and Grady.

The bill entitled "An act to amend an act passed April, 1862, entitled 'An act for the better protection of life and property in the city of Brooklyn,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ALLEN	DALY	HULME	NELSON	SEEBACHER
ALVORD	DEYOE	JONES	NIVEN	SHEARD
ASTOR	DOUGLASS	KEEGAN	NORTH	SHELDON
BAKER	DUELL	KELLOGG	PATTENGILL	SKINNER
BATHE	FISH	KERN	DEWITT C. PECK	SUTHERLAND
BERGEN	FITZGERALD	MAPES	PEEK	E. TAYLOR
BOUCK	FLOYD-JONES	MATTISON	PIPER	J. T. TAYLOR
BROOKS	GALVIN	MCDONOUGH	POOL	TERRY
BROWNING	GILBERT	MEAD	PRESCOTT	THOMSON
BRUNDAGE	GRAHAM	MEKEEL	PROPER	TOWNSLEY
CASE	GRIGGS	J. H. MILLER	PURDY	VALENTINE
CHASE	HAVENS	S. V. R. MILLER	REYNOLDS	WAKELY
CLANCY	I. I. HAYES	MOLLER	ROBERTS	WHEELER
CLAPP	HENRY	MOOERS	ROWLAND	WILBOR
CONVERSE	HEPBURN	MEYENBORG	SAWYER	WILLERS
CRANDALL	HOLAHAN	NEILSON	SEARING	WILLIAMS
CRAWFORD	HOYT			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the construction of storm or surface water sewers in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOBBIE	NIVEN	SHELDON
ALLEN	DALY	HOLAHAN	NORTH	SKINNER
ALVORD	DEYOE	HOYT	NOYES	SUTHERLAND
ANDREWS	DOUGLASS	JONES	PATTENGILL	E. TAYLOR
ASTOR	DUELL	KEATOR	DEWITT C. PECK	J. T. TAYLOR
BEARD	FISH	KEEGAN	PEEK	TERRY
BERGEN	FITZGERALD	KELLOGG	PIPER	THOMSON
BERRIGAN	FLOYD-JONES	KERN	POOL	TOWNSLEY
BOUCK	FRANK	MAPES	PRESCOTT	VALENTINE
BROOKS	GALVIN	MATTISON	ROBERTS	WARING
BROWNING	GILBERT	MEKEEL	ROWLAND	WEMPLE
BRUNDAGE	GRAHAM	J. H. MILLER	SAWYER	WILBOR
CHAPPELL	GRIGGS	S. V. R. MILLER	SEARING	WILLERS
CLARK	HAMILTON	MOLLER	SEEBACHER	WILLIAMS
CONVERSE	HAVENS	MOOERS	SEWELL	WINCH
CRANDALL	I. I. HAYES	NEILSON	SHANLEY	WORTH
CRAWFORD	HEPBURN	NELSON	SHEARD	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the acts and proceedings of David P. Brooks, a justice of the peace of the town of Hume, Allegany county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	JONES	NORTH	SKINNER
ALLEN	DALY	KEATOR	NOYES	STRACK
ALVORD	DEYOE	KEEGAN	PARKER	SUTHERLAND
ANDREWS	DUELL	KELLOGG	PATTENGILL	E. TAYLOR
ASTOR	FISH	KERN	CICERO C. PECK	J. T. TAYLOR
BATHE	FITZGERALD	MAPES	DEWITT C. PECK	TERRY
BEARD	FLOYD-JONES	MATTISON	PIPER	THOMSON
BERGEN	FLYNN	MCDONOUGH	POOL	TOWNSLEY
BOUCK	GALVIN	MEAD	PRESCOTT	VALENTINE
BROOKS	GILBERT	MEKEEL	PROPER	WAKELY
BROWNING	GRADY	J. H. MILLER	REYNOLDS	WEMPLE
BRUNDAGE	GRIGGS	MOLLER	ROWLAND	WILBOR
CHASE	HAMILTON	MOOERS	SAWYER	WILLERS
CLAPP	I. I. HAYES	MEYENBORG	SEARING	WILLIAMS
CLARK	HEPBURN	NEILSON	SEEBACHER	WILLIS
CONVERSE	HOBBIE	NELSON	SHEARD	WINCH
CRANDALL	HOYT	NIVEN	SHELDON	WORTH
CRAWFORD	HULME			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to revise and consolidate the several acts relating to the support and care of State paupers, and to provide for the employment at labor of certain vagrant and idle persons," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 75.

NOES 15.

Those who voted in the affirmative, were

ABBOTT	DEYOE	KELLOGG	CICERO C. PECK	STORY
ALVORD	DUELL	KERN	DEWITT C. PECK	SUTHERLAND
ANDREWS	FISH	KING	PIPER	E. TAYLOR
ASTOR	FLOYD-JONES	MATTISON	POOL	J. T. TAYLOR
BAKER	FLYNN	MEKEEL	PRESCOTT	TERRY
BATHE	GALVIN	J. H. MILLER	PROPER	THAIN
BOUCK	GRAHAM	S. V. R. MILLER	REYNOLDS	THOMSON
BROOKS	GRIGGS	MOLLER	ROBERTS	TOWNSLEY
BRUNDAGE	HALLIDAY	MOOERS	ROWLAND	VALENTINE
CHAPPELL	HAVENS	MEYENBORG	SAWYER	WARING
CHASE	I. I. HAYES	NIVEN	SEEBACHER	WEMPLE
CLAPP	HEPBURN	NORTH	SHANLEY	WILBOR
CONVERSE	HOBBIE	NOYES	SHEARD	WILLERS
COSAD	HOLBROOK	PARKER	SHELDON	WILLIAMS
DALY	HULME	PATTENGILL	SKINNER	WINCH

Those who voted in the negative, were

BEARD	CLANCY	CROWLEY	HAMILTON	MAPES
BROWNING	CLARK	DOUGLASS	HOYT	MEAD
BURNS	CRANDALL	GRADY	JONES	NELSON

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. J. Hayes introduced a bill entitled "An act to make further provision for the payment of further expenses of the local government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to further amend chapter 463 of the Laws of 1853, entitled 'An act for the incorporation of life and health insurance companies, and in relation to agencies of said companies.'"

"An act to provide for the formation of county co-operative insurance companies."

"An act to amend chapter 442 of the Laws of 1877, entitled 'An act to authorize the recovery at law for certain printing done for, and stationery furnished to, the boards of aldermen and assistant aldermen in the city of New York.'"

The bill entitled "An act to amend chapter 303 of the Laws of 1877, entitled 'An act further to amend chapter 502 of the Laws of 1869, entitled An act to amend an act entitled An act to amend an act entitled An act to incorporate the village of Flushing, and the several acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ALVORD	FISH	JONES	NORTH	SHEARD
ANDREWS	FITZGERALD	KEEGAN	NOYES	SHELDON

BAKER	FLOYD-JONES	KELLOGG	PALMER	SKINNER
BROOKS	FOSTER	KING	PATTENGILL	E. TAYLOR
BROWNING	FRANK	LANGNER	PEEK	J. T. TAYLOR
BRUNDAGE	GRAHAM	LOVELAND	PIPER	TERRY
BURNS	HALLIDAY	LOWING	POOL	THAIN
CASE	HAMILTON	MATTISON	PRESCOTT	THOMSON
CHAPPELL	HAVENS	MEAD	PURDY	VALENTINE
CHASE	I. I. HAYES	MEKEEL	REYNOLDS	WAKELY
CLAPP	HEPBURN	J. H. MILLER	ROBERTS	WARING
CONVERSE	HOBBIE	S. V. R. MILLER	ROWLAND	WHEELER
CORMACK	HOLBROOK	MOLLER	SAWYER	WILLERS
CRANDALL	HOYT	MOOERS	SEARING	WILLIS
DEYOE	HULME	NELSON	SEWELL	WINCH
DOUGLASS	HURD	NIVEN	SHANLEY	WORTH
DUELL				

For the negative,

BEARD

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 58.

NOES 17.

Those who voted in the affirmative, were

ALLEN	CRANDALL	HOLAHAN	NIVEN	SKINNER
ALVORD	CROWLEY	HURD	NORTH	STORY
BAKER	FISH	KEEGAN	PALMER	SUTHERLAND
BERGEN	FLOYD-JONES	KELLOGG	PATTENGILL	E. TAYLOR
BRUNDAGE	FLYNN	KERN	PIPER	THAIN
BURNS	GILBERT	KING	POOL	THOMSON
CASE	GRAHAM	MATTISON	PRESCOTT	VALENTINE
CHAPPELL	GRIGGS	MEKEEL	REYNOLDS	WEMPLE
CHASE	HALLIDAY	J. H. MILLER	ROWLAND	WILLERS
CLANCY	HAMILTON	S. V. R. MILLER	SHEARD	WILLIAMS
CLAPP	HAVENS	MOLLER	SHELDON	WINCH
CONVERSE	HEPBURN	NELSON		

Those who voted in the negative, were

BATHE	DOUGLASS	HOYT	MEYENBORG	ROBERTS
BEARD	I. I. HAYES	HULME	NOYES	SEEBACHER
BOUCK	HOBBIE	JONES	CICERO C. PECK	TOWNSLEY
COSAD				

Mr. Chappell moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

The bill entitled "An act in relation to the repaving of streets in the city of Syracuse, and to amend the charter of said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ALLEN	COSAD	I. I. HAYES	MEYENBORG	SEWELL
ALVORD	CRAWFORD	HOBBIE	NELSON	SHELDON
ANDREWS	CROWLEY	HOLAHAN	NIVEN	SKINNER
BAKER	CURRAN	HOLBROOK	NORTH	STORY
BATHE	DALY	HOYT	NOYES	STRACK
BERGEN	DOUGLASS	HULME	PARKER	SUTHERLAND
BOUCK	DUELL	HURD	PATTENGILL	E. TAYLOR
BROOKS	FISH	JONES	DEWITT C. PECK	J. T. TAYLOR
BROWNING	FITZGERALD	KEEGAN	PIPER	THAIN
BRUNDAGE	FLOYD-JONES	KELLOGG	POOL	THOMSON
BURNS	FLYNN	KERN	PRESCOTT	TOWNSLEY
CASE	GALVIN	LOWING	PROPER	VALENTINE
CHAPPELL	GRADY	MATTISON	PURDY	WEMPLE
CHASE	GRAHAM	MCDONOUGH	ROBERTS	WILLERS
CLANCY	HALLIDAY	MEKEEL	ROWLAND	WILLIAMS
CLARK	HAMILTON	S. V. R. MILLER	SEARING	WINCH
CONVERSE	HAVENS	MOLLER	SEEBACHER	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to further amend chapter 463 of the Laws of 1853, entitled 'An act for the incorporation of life and health insurance companies, and in relation to agencies of such companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 90.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CURRAN	HOBBIE	NEILSON	SEWELL
ALVORD	DALY	HOLAHAN	NELSON	SHELDON
BAKER	DEYOE	HOYT	NIVEN	SKINNER
BERRIGAN	DOUGLASS	HULME	NORTH	STORY
BERRY	FISH	HURD	NOYES	STRACK
BOUCK	FLOYD-JONES	JONES	PALMER	SUTHERLAND
BROOKS	FLYNN	KEEGAN	PARKER	E. TAYLOR
BROWNING	FRANK	KELLOGG	PATTENGILL	J. T. TAYLOR
BRUNDAGE	GILBERT	KERN	CICERO C. PECK	TERRY
BURNS	GRADY	KING	PIPER	THAIN
CASE	GRAHAM	MAPES	POOL	TOWNSLEY
CHAPPELL	GRIGGS	MATTISON	PRESCOTT	WAKELY
CLAPP	HALLIDAY	MCDONOUGH	PURDY	WEMPLE
CLARK	HAMILTON	MEAD	REYNOLDS	WHEELER
CONVERSE	HAVENS	MEKEEL	ROBERTS	WILLERS
COSAD	I. I. HAYES	S. V. R. MILLER	SAWYER	WILLIAMS
CRAWFORD	J. HAYES	MOLLER	SEARING	WINCH
CROWLEY	HEPBURN	MEYENBORG	SEEBACHER	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill entitled as follows:

"An act for the relief of the Albany and Vermont Railroad Company and to ratify certain acts of said company, and for the relief of the Troy and Boston Railroad Company," which was read the first time, and by unanimous consent was also read a second time.

Mr. Mead moved to refer said bill to the committee on the judiciary.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Mead, and it was determined in the affirmative.

Mr. Speaker presented a communication in the words following:

NEW YORK, *April 30, 1878.*

TO HON. JAMES W. HUSTED, *Speaker of the Assembly:*

The Third National Shooting Festival of the Sharpshooters' Union of the United States of North America, will be held at the park in Union Hill, New Jersey, from the sixteenth to the twenty-fourth of June next.

You and the honorable body over which you have the honor to preside, are most cordially invited to be present on that occasion. It is earnestly hoped, that if your official duties will permit you to attend, that you will kindly signify to us your acceptance.

Most respectfully,

GEORGE AERY, *Prest.*

J. H. BEHRENS, *Cor. Sec'y.*

Mr. Brooks moved that said invitation be accepted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Also, the following communication:

OFFICE OF GRAND WORTHY SECRETARY,
GRAND LODGE OF I. O. OF G. T. OF N. Y., }
SYRACUSE, N. Y., *April 27, 1878.*

HON. JAMES W. HUSTED, *Speaker of the Assembly:*

DEAR SIR.—I have the honor of transmitting to you the following action of the board of managers of the Grand Lodge of the I. O. of G. T. of New York, at its regular meeting, April 26, 1878, viz.:

"*Resolved*, That in the name and on behalf of the Grand Lodge of the Independent Order of Good Templars of the State of New York, representing 500 subordinate lodges and 25,000 membership, we respectfully, but most earnestly protest against the passage, by the State Legislature, of the so-called Holahan excise bill, now before the Senate, and that the grand secretary communicate this resolution at once to both Houses of the Legislature, properly attested."

[L. S.]

I am sir, most respectfully yours,

D. W. HOOKER, *G. W. S.*

[A true copy.]

On motion of Mr. Alvord, and at 12 o'clock and 55 minutes, the House adjourned until Monday evening at 8 o'clock.

MONDAY, MAY 6, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Clark.

The journal of Friday, May 3, was read and approved.

By unanimous consent,

Mr. Curran offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 116, entitled "An act to repeal section 8 of chapter 36 of the Laws of 1863, entitled 'An act authorizing the village of West Troy to pave Broad street therein from Auburn street to its southern terminus; to procure a steam fire engine, and the necessary hose, hose carriage, lot, and engine house for the same, and to borrow money for such purposes; also, empowering the said village to light the streets thereof, and directing that the police constables of said village be uniformed and wear the badge of office,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker and the Clerk, with the consent of the Assembly, referred the following entitled bills to the sub-committee of the whole :

Senate, G. O. 601, No. 111, "An act in reference to a site for an additional State prison."

Senate, G. O. 612, No. 86, "An act in relation to trust companies and certain other moneyed corporations."

Senate G. O. 681, No. 252, "An act to amend article 3, title 4, chapter 2 of part 4 of the Revised Statutes, entitled 'Of the removal of indictments before trial or judgment.'"

Senate, G. O. 682, No. 276, "An act to facilitate the discharge of debtors imprisoned by virtue of executions in civil cases."

Senate, G. O. 683, No. 256, "An act to amend chapter 416 of the Laws of 1877, entitled 'An act relating to courts, officers of justice and civil proceedings.'"

Senate, G. O. 684, No. 69, "An act to amend chapter 416 of the Laws of 1877, entitled 'An act relating to courts, officers of justice and civil proceedings.'"

Senate G. O. 685, No. 236, "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings.'"

Senate, G. O. 688, No. 173, "An act to facilitate the removal of human remains from burying-grounds within the limits of cities."

Senate, G. O. 690, No. 194, "An act to amend chapter 466 of the Laws of 1877, entitled 'An act in relation to assignments of the estates of debtors for the benefit of creditors.'"

Senate, G. O. 697, No. 255, "An act in relation to the non-resident highway tax in the town of Thurman, in the county of Warren."

Senate, G. O. 699, No. 142, "An act in relation to devises and bequests to charitable, religious, and other societies and corporations."

Senate, G. O. 705, No. 235, "An act relating to powers of attorney by married women."

G. O. 562, No. 491, "An act to amend chapter 116 of the Laws of 1859, entitled 'An act to consolidate and amend the several acts relating to the village of Cazenovia, to alter the bounds, and to enlarge the powers of the corporation of said village.'"

G. O. 652, No. 533, "An act to incorporate the Mount Pleasant Water-works Company."

G. O. 655, No. 541, "An act relating to the publication of notices of sales in foreclosure in the city of New York."

G. O. 658, No. 544, "An act granting additional powers to courts of record."

G. O. 659, No. 545, "An act in relation to the powers and duties of attorneys-at-law."

G. O. 660, No. 546, "An act to amend chapter 135 of the Laws of 1860, entitled 'An act in relation to district attorneys.'"

G. O. 661, No. 547, "An act in relation to the adoption of children."

G. O. 676, No. 552, "An act for the relief of John Hogan, and to authorize the comptroller of the city of New York to pay the amount which may be found due from said city to said Hogan, for granite furnished for a bridge in said city."

G. O. 677, No. 553, "An act to provide for the proper lighting of the structures of the elevated railways in the city of New York."

G. O. 691, No. 560, "An act to amend chapter 130, Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,' and the several acts amendatory thereof."

G. O. 725, No. —, "An act defining the duties and powers of boards of town auditors."

G. O. 603, No. 514, "An act to exempt the lands held by the commissioners for improvements on the Oswegatchie river from taxation."

By unanimous consent,

Mr. Hayes moved to discharge the committee of the whole from the further consideration of Assembly bill, G. O. 518, No. 453, entitled "An act to acquire title to Ward's Island and the water-rights surrounding the same," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

By unanimous consent,

Mr. Prescott moved that Assembly bill, G. O. 686, entitled "An act to provide for the records of boards of supervisors and the preservation of same in county clerks' offices," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Thain offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee on the affairs of cities be discharged from the further consideration of Senate bill No. 272, entitled "An act to provide for the erection of an iron bridge at Fourth avenue," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Berry called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

Senate, G. O. 596, No. 146, "An act to amend chapter 604, Laws of 1875, entitled 'An act to prevent the deposit of carrion, offal or dead animals in the North and East rivers, in the bay of New York or Raritan bay, within the jurisdiction of the State of New York,' passed June 18, 1875." [With amendments.]

G. O. —, No. —, "An act to amend an act to provide for the removal of eel weirs and other devices for taking fish from the Delaware river and any of its tributaries, and to prevent the maintenance of such devices, passed May 19, 1877."

Senate, G. O. 454, No. 51, "An act to amend chapter 430 of the Laws of 1874, entitled 'An act to facilitate the reorganization of railroads sold under mortgage, and proceedings for the formation of new companies.'"

Senate, G. O. 489, No. —, "An act to alter the boundary line between the towns of Davenport and Meredith, in the county of Delaware."

G. O. 501, No. 445, "An act to amend chapter 224 of the Laws of 1874, entitled 'An act to repeal chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes, so far as the same relates to the counties of Clinton, Chenango, Seneca, Queens, Orange, Essex, Cayuga, Madison and Steuben.'"

G. O. 325, No. 280, "An act to provide for the preservation of the public health in the city of Brooklyn."

Senate, G. O. 643, No. 261, "An act to facilitate the collection of certain unpaid taxes in the town of Newtown in the county of Queens."

Senate, G. O. 619, No. 135, "An act relative to the justices of the Supreme Court of the third judicial district."

Senate, G. O. 625, No. 215, "An act to prevent the avoiding or passing the gate of the Halfmoon Bridge Company without payment of toll."

Senate, G. O. 609, No. 104, "An act to provide for the support, treatment and care of pauper, destitute, and delinquent children."

Senate, G. O. 558, No. 171, "An act to amend chapter 424 of the Laws of 1877, entitled 'An act in relation to the appointment of a State agent for the guidance and employment of discharged convicts.' [With amendments.]

Senate, G. O. 674, No. 55, "An act for the relief of Abel Crook."

G. O. 487, No. 432, "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

Senate, G. O. 624, No. 253, "An act declaring both branches of the Oswegatchie river in the towns of Croghan and Diana, in Lewis county, public highways."

Senate, G. O. 513, No. —, "An act authorizing the adult male Seneca Indians, residing upon the Cornplanter reservation, to vote and hold office under the constitution of the Seneca nation of indians."

Senate, G. O. 649, No. 168, "An act to ratify and confirm the title of Catharine Rasbach to certain lands in the village of Ilion, Herkimer county, New York."

Senate, G. O. 631, No. 170, "An act to release the interest of the State in the real estate of which Peter Welden, late of the county of Richmond, died seized to Patrick Doran."

Senate, G. O. 633, No. 221, "An act to enable Charles Lanel and his successor to take and hold real estate in the State of New York as trustee, and to sell and convey the same within a limited period, notwithstanding his alienage."

G. O. 447, No. 400, "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,' so far as the same relates to the county of Orange."

G. O. 573, No. 496, "An act to amend chapter 283 of the Laws of 1871, entitled 'An act to amend an act entitled An act to amend chapter 907 of the Laws of 1869, entitled An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads."

G. O. 535, No. 469, "An act in relation to actions of partition."

G. O. 602, No. 513, "An act to regulate commitments of juvenile delinquents and other persons to charitable or reformatory institutions where the same is a county or city charge."

G. O. 626, No. 525, "An act for the preservation of fish and to prevent the deposit of carrion or any deleterious substances on any fishing grounds, or in any rivers, creeks or waters within or adjacent to the county of Kings."

G. O. 427, No. 382, "An act for the better security of life from fire in hotels and other buildings."

G. O. 638, No. 533, "An act to facilitate the completion of the Syracuse, Phoenix and Oswego railroad." [With amendments.]

G. O. 318, No. 272, "An act to incorporate the Society for the prevention of crime." [Reported adversely.]

Mr. Waring moved to disagree with the report of the sub-committee, as far as relates to Senate bill No. 146, entitled "An act to amend chapter 604 of the Laws of 1875, entitled 'An act to prevent the deposit of carrion, offal, or dead animals in the North and East rivers, or in the bay of New York or Raritan bay, within the jurisdiction of the State of New York,' passed June 18, 1875," and that the same be recommitted to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Berry moved to recommit Assembly No. 272, entitled "An act to incorporate the Society for the Prevention of Crime," to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Seebacher moved to disagree with the report of the sub-committee of the whole, as far as relates to the bill entitled "An act to regulate commitments of juvenile delinquents and other persons to charitable or reformatory institutions where the same is a county or city charge," and that said bill be referred to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Waring moved that so much of said report as relates to Assembly bill entitled "An act to provide for the preservation of the public health in the city of Brooklyn," be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the remainder of said report, and it was determined in the affirmative, and said bills were ordered engrossed, and to a third reading.

By unanimous consent,

Mr. Case offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 564, entitled "An act to amend chapter 75 of the Laws of 1878, entitled 'An act in relation to the bonded indebtedness of villages, cities, towns, and counties,'" be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Berry called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

Senate, G. O. 621, No. 155, "An act to amend chapter 282 of the Laws of 1852, entitled 'An act defining the exemptions from taxation on public buildings in the city of New York, and to extend the provisions thereof to the city of Brooklyn.'"

G. O. 611, No. 521, "An act to transfer the care and control of Bedford avenue, in the city of Brooklyn, to the park commissioners of said city." [With amendments.]

Senate, G. O. 663, No. 179, "An act to authorize the trustees of Emil L. Shepard to convey lands in the city of New York."

Senate, G. O. 557, No. 133, "An act to further amend chapter 126 of the Laws of 1824, entitled 'An act to incorporate the Society for the Reformation of Juvenile Delinquents in the city of New York,' passed March 29, 1824, as amended by chapter 241 of the Laws of 1860, passed April 10, 1860."

Senate, G. O. 648, No. 141, "An act for the relief of corporations formed under chapter 40 of the Laws of 1848, and acts amendatory thereof, in omitting to file either of the certificates required by the first section of said chapter." [With an amendment.]

G. O. 630, No. 528, "An act to release the interest of the people of the State of New York in certain real estate in the counties of Greene and Delaware to Julia E. Stewart."

Senate, G. O. —, No. 247, "An act to define the jurisdiction of the Canal Board and the Board of Canal Appraisers."

G. O. 613, No. 522, "An act to authorize and require the Secretary of State to collect and report labor statistics." [With an amendment.]

G. O. 591, No. 507, "An act to amend chapter 250 of the Laws of 1849, entitled 'An act in relation to plank and turnpike roads.'"

G. O. 567, No. 494, "An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof.'"

Senate, G. O. 650, No. 205, "An act to provide for the adjustment and payment of unpaid taxes due the county of Westchester by the towns of West Farms, Morrisania, and Kingsbridge, lately annexed to the city and county of New York."

G. O. 523, No. 458, "An act to amend an act entitled 'An act to legalize the adoption of minor children by adult persons.'"

Mr. Grady moved to lay so much of said report as relates to Senate bill No. 155, entitled "An act to amend chapter 282 of the Laws of 1852, entitled 'An act defining the exemptions from taxation on public buildings in the city of New York, and to extend the provisions thereof to the city of Brooklyn,' upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the remainder of said report, and it was determined in the affirmative, and said bills were ordered engrossed, and to a third reading.

Mr. Speaker announced, pursuant to the ninth joint rule, order of business, third reading of bills.

The bill entitled "An act to amend section 1 of chapter 225 of the Laws of 1877, entitled 'An act to establish the boundary line between the towns of Jay and Wilmington, in the county of Essex, and to confirm the past jurisdiction of said towns respectively in relation to said line,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ALVORD	FLOYD-JONES	JONES	NOYES	SHANLEY
ANDREWS	FLYNN	KEEGAN	PALMER	SKINNER
BAKER	FOSTER	KERN	PARKER	SLITER
BEARD	GALVIN	KING	PATTENGILL	SUTHERLAND
BERRIGAN	GRADY	MATTISON	CICERO C. PECK	TERRY
BERRY	GRAHAM	MCDONOUGH	DEWITT C. PECK	THAIN
BOUCK	GRIGGS	MEAD	PEEK	THOMSON
BROWNING	HALLIDAY	MEKEEL	PIPER	TOWNSLEY
BURNS	HAMILTON	J. H. MILLER	POOL	WAKELY
CHASE	I. I. HAYES	S. V. R. MILLER	REYNOLDS	WEMPLE
CLAPP	HENRY	MOLLER	ROBERTS	WILBOR
CONVERSE	HEPBURN	MOOERS	ROWLAND	WILLERS
CURRAN	HOBBIE	NEILSON	SAWYER	WILLIAMS
DOUGLASS	HOLBROOK	NELSON	SEARING	WILLIS
DUELL	HOYT	NIVEN	SEEBACHER	WINCH
FISH	HULME	NORTH	SEWELL	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act requiring receivers of corporations to make reports," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 4.

Those who voted in the affirmative, were

ALVORD	CONVERSE	I. I. HAYES	MEKEEL	SEWELL
ANDREWS	CURRAN	HENRY	S. V. R. MILLER	SHELDON
BAKER	DOUGLASS	HEPBURN	MOOERS	SKINNER
BATHE	DUELL	HOBBIE	MEYENBORG	SLITER
BEARD	FISH	HULME	NEILSON	SUTHERLAND
BERGEN	FITZGERALD	JONES	NIVEN	E. TAYLOR
BERRIGAN	FLOYD-JONES	KEATOR	NORTH	TERRY
BERRY	FLYNN	KEEGAN	NOYES	THAIN
BOUCK	FOSTER	KERN	PALMER	TOWNSLEY
BROWNING	GALVIN	KING	PARKER	WAKELY
BRUNDAGE	GILBERT	LOVELAND	PATTENGILL	WARING
BURNS	GRADY	MAPES	PEEK	WILBOR
CASE	GRAHAM	MATTISON	PIPER	WILLERS
CHAPPELL	GRIGGS	MCDONOUGH	POOL	WILLIS
CLANCY	HALLIDAY	MEAD	SAWYER	WINCH
CLARK	HAMILTON			

Those who voted in the negative, were

PURDY	ROWLAND	THOMSON	WEMPLE
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Thain offered, for the consideration of the House, a privileged resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return, for amendment, of

Assembly bill No. 201, entitled "An act to amend section 1, chapter 316 of the Laws of 1876, entitled 'An act relative to judgments entered upon forfeited recognizances in the city and county of New York.'"

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 41 of the Laws of 1861, entitled 'An act to incorporate the veterans of the National Guard, Seventh regiment, First division, State militia,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 75. NOES 00.

Those who voted in the affirmative, were

ALVORD	DUELL	HOYT	NIVEN	SHANLEY
ANDREWS	FISH	HULME	NORTH	SHELDON
BAKER	FLOYD-JONES	JONES	NOYES	SKINNER
BATHE	FOSTER	KEATOR	PALMER	SLATER
BEARD	GALVIN	KEEGAN	PARKER	SUTHERLAND
BERGEN	GRADY	KERN	PATTENGILL	E. TAYLOR
BOUCK	GRAHAM	KING	CICERO C. PECK	TERRY
BROWNING	HALLIDAY	LOVELAND	PEEK	THAIN
BRUNDAGE	HAMILTON	MAPES	PIPER	THOMSON
CASE	HAVENS	MATTISON	POOL	WAKELY
CHAPPELL	I. I. HAYES	MEAD	ROWLAND	WARING
CHASE	HENRY	MEKEEL	SAWYER	WEMPLE
CONVERSE	HEPBURN	S. V. R. MILLER	SEARING	WILBOR
CURRAN	HOBBIE	MEYENBORG	SEEBACHER	WILLERS
DOUGLASS	HOLBROOK	NEILSON	SEWELL	WILLIS

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the formation of county co-operative insurance companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 76. NOES 2.

Those who voted in the affirmative, were

ALVORD	CURRAN	HEPBURN	MEYENBORG	SEEBACHER
ANDREWS	DUELL	HOBBIE	NEILSON	SEWELL
BAKER	FISH	HOLBROOK	NIVEN	SHELDON
BATHE	FLOYD-JONES	HOYT	NORTH	SKINNER
BEARD	FLYNN	HULME	NOYES	SUTHERLAND
BERGEN	FOSTER	KEATOR	PALMER	E. TAYLOR
BERRIGAN	GALVIN	KEEGAN	PARKER	TERRY
BOUCK	GILBERT	KERN	PATTENGILL	THAIN
BRUNDAGE	GRADY	KING	PEEK	WAKELY
CASE	GRAHAM	LOVELAND	PIPER	WARING
CHAPPELL	GRIGGS	MAPES	POOL	WEMPLE
CHASE	HALLIDAY	MATTISON	PURDY	WILBOR
CLAPP	HAMILTON	MEAD	REYNOLDS	WILLERS
CLARK	I. I. HAYES	MEKEEL	ROWLAND	WILLIAMS
CONVERSE	HENRY	S. V. R. MILLER	SAWYER	WILLIS
CORMACK				

Those who voted in the negative, were

CICERO C. PECK THOMSON

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 442 of the Laws of 1877, entitled 'An act to authorize the recovery at law for certain printing done for and stationery furnished to the boards of aldermen and assistant aldermen in the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 56. NOES 25.

Those who voted in the affirmative, were

ALVORD	CLAPP	GRAHAM	McDONOUGH	ROWLAND
ANDREWS	CLARK	GRIGGS	MEAD	SEARING
BERGEN	CORMACK	I. I. HAYES	MEKEEL	SEEBACHER
BERRY	CURRAN	HENRY	S. V. R. MILLER	SEWELL
BUCK	DUELL	HEPBURN	NELSON	SHANLEY
BROWNING	FISH	HOBBIE	NIVEN	STORY
BRUNDAGE	FITZGERALD	HOLAHAN	NORTH	THAIN
BURNS	FLOYD-JONES	HOLBROOK	NOYES	WAKELY
CASE	FLYNN	JONES	PARKER	WARING
CHAPPELL	GALVIN	KERN	PEEK	WILBOR
CHASE	GILBERT	KING	POOL	WILLIS
CLANCY				

Those who voted in the negative, were

BEARD	HULME	PALMER	SAWYER	TOWNSLEY
GRADY	KELLOGG	PATTENGILL	SHELDON	WEMPLE
HALLIDAY	LOVELAND	DEWITT C. PECK	SKINNER	WILLERS
HAMILTON	MAPES	PIPER	E. TAYLOR	WILLIAMS
HOYT	MATTISON	PURDY	THOMSON	WINCH

Mr. Grady moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

The Senate bill entitled "An act to legalize the acts and proceedings of the inhabitants and trustees of School district No. 29, in the town and county of Onondaga," having been announced for a third reading,

Mr. Alvord moved that said bill be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill entitled "An act to legalize the State and county taxes in the city of Cohoes, Albany county, for the years 1870, 1871, 1872, 1873, 1874, 1875, 1876 and 1877, and to provide for the collection thereof, and to authorize the sale of lands in the city of Cohoes for unpaid State and county taxes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ALVORD	DOUGLASS	HEPBURN	MEYENBORG	SEEBACHER
ANDREWS	DUELL	HOBBIE	NELSON	SEWELL
BAKER	FISH	HOLAHAN	NIVEN	SHELDON
BEARD	FITZGERALD	HOYT	NORTH	SKINNER
BERGEN	FLOYD-JONES	HULME	NOYES	STORY
BERRY	FLYNN	HURD	PATTENGILL	E. TAYLOR
BOUCK	FOSTER	JONES	PEEK	TERRY
BROWNING	FRANK	KEATOR	PIPER	THAIN
BRUNDAGE	GALVIN	KEEGAN	POOL	THOMSON
BURNS	GILBERT	KELLOGG	PRESCOTT	TOWNSLEY
CASE	GRAHAM	KERN	PURDY	VALENTINE
CLANCY	GRIGGS	KING	REYNOLDS	WAKELY
CLARK	HALLIDAY	LOVELAND	ROBERTS	WARING
CONVERSE	HAMILTON	MATTISON	ROWLAND	WILBOR
CORMACK	I. I. HAYES	MCDONOUGH	SAWYER	WILLIAMS
CRAWFORD	HENRY	S. V. R. MILLER	SEARING	WILLIS
CURRAN				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to release the interest of the people of the State of New York in and to certain surplus moneys arising upon the sale of certain land, of which Dedrick Harth died seized," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 91.

NOES 00.

Those who voted in the affirmative, were

ALVORD	CURRAN	HOBBIE	MEYENBORG	SEEBACHER
ANDREWS	DOUGLASS	HOLAHAN	NEILSON	SEWELL
BAKER	DUELL	HOLBROOK	NELSON	SHANLEY
BATHE	FISH	HOYT	NIVEN	SHELDON
BEARD	FITZGERALD	HULME	NORTH	SKINNER
BERGEN	FLOYD-JONES	JONES	NOYES	SLITER
BERRIGAN	FLYNN	KEATOR	PALMER	SUTHERLAND
BERRY	FOSTER	KEEGAN	PARKER	E. TAYLOR
BOUCK	GALVIN	KELLOGG	PATTENGILL	TERRY
BROWNING	GILBERT	KERN	CICERO C. PECK	THOMSON
BRUNDAGE	GRADY	KING	PEEK	TOWNSLEY
BURNS	GRAHAM	LOVELAND	PIPER	WAKELY
CASE	GRIGGS	MAPES	POOL	WARING
CHAPPELL	HALLIDAY	MATTISON	PURDY	WILBOR
CHASE	HAMILTON	MCDONOUGH	REYNOLDS	WILLERS
CLAPP	I. I. HAYES	MEKEEL	ROWLAND	WILLIAMS
CLARK	HENRY	S. V. R. MILLER	SAWYER	WILLIS
CONVERSE	HEPBURN	MOLLER	SEARING	WINCH
CORMACK				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act in relation to the term of office of the keeper of the morgue and the engineer of the jail of Kings county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 1.

Those who voted in the affirmative, were

ALVORD	FOSTER	KERN	PATTENGILL	STORY
ANDREWS	GALVIN	KING	CICERO C. PECK	STRACK
BAKER	GILBERT	LOVELAND	PEEK	SUTHERLAND
BATHE	GRADY	MATTISON	PIPER	E. TAYLOR
BOUCK	GRAHAM	MCDONOUGH	POOL	TERRY
BRUNDAGE	GRIGGS	MEAD	PURDY	THAIN
CASE	HALLIDAY	MEKEEL	REYNOLDS	THOMSON
CHAPPELL	HAMILTON	S. V. R. MILLER	ROWLAND	TOWNSLEY
CHASE	I. I. HAYES	MOLLER	SAWYER	WAKELY
CLANCY	HENRY	MEYENBORG	SEARING	WARING
CLARK	HEPBURN	NEILSON	SEEBACHER	WEMPLE
CONVERSE	HOBBIE	NELSON	SEWELL	WILBOR
CORMACK	HOLAHAN	NIVEN	SHANLEY	WILLERS
DUELL	HOYT	NORTH	SHELDON	WILLIAMS
FISH	JONES	NOYES	SKINNER	WILLIS
FITZGERALD	KEEGAN	PARKER	SLITER	WINCH
FLOYD-JONES	KELLOGG			

For the negative,

BEARD

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act in relation to the taking of clams, oysters, and shell-fish within the waters of this State, and dredging for the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82.

NOES 1.

Those who voted in the affirmative, were

ALVORD	FISH	HOYT	NIVEN	SKINNER
BAKER	FLOYD-JONES	JONES	NORTH	STORY
BEARD	FLYNN	KEEGAN	PARKER	STRACK
BERGEN	FOSTER	KELLOGG	PATTENGILL	SUTHERLAND
BERRY	GALVIN	KERN	CICERO C. PECK	E. TAYLOR
BOUCK	GILBERT	KING	PEEK	TERRY
BROWNING	GRADY	LOVELAND	PIPER	THOMSON
BRUNDAGE	GRAHAM	MATTISON	PURDY	TOWNSLEY
BURNS	GRIGGS	MCDONOUGH	REYNOLDS	WAKELY
CASE	HALLIDAY	MEKEEL	ROWLAND	WARING
CHAPPELL	HAMILTON	S. V. R. MILLER	SAWYER	WEMPLE
CHASE	I. I. HAYES	MOLLER	SEARING	WILBOR
CLAPP	HENRY	MOOERS	SEEBACHER	WILLERS
CLARK	HEPBURN	MEYENBORG	SEWELL	WILLIAMS
CONVERSE	HOBBIE	NEILSON	SHANLEY	WILLIS
CORMACK	HOLAHAN	NELSON	SHELDON	WINCH
CURRAN	HOLBROOK			

For the negative,

POOL

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act for the dissolution of the corporation known as the Jews' Orphan and Indigent Asylum in New York, and for the division of its property," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 82.

NOES 2.

Those who voted in the affirmative, were

ALVORD	FLOYD-JONES	HULME	NORTH	SLITER
ANDREWS	FLYNN	JONES	PARKER	STORY
BAKER	FOSTER	KEEGAN	PATTENGILL	STRACK
BATHE	GALVIN	KELLOGG	CICERO C. PECK	SUTHERLAND
BERGEN	GILBERT	KERN	PEEK	E. TAYLOR
BERRY	GRADY	KING	PIPER	TERRY
BOUCK	GRAHAM	LOVELAND	POOL	THAIN
BURNS	GRIGGS	MATTISON	PURDY	THOMSON
CASE	HALLIDAY	MCDONOUGH	REYNOLDS	WAKELY
CHAPPELL	HAMILTON	MEKEEL	ROWLAND	WARING
CLAPP	I. I. HAYES	S. V. R. MILLER	SAWYER	WEMPLE
CLARK	HENRY	MOLLER	SEARING	WILBOR
CONVERSE	HEPBURN	MEYENBORG	SEEBACHER	WILLERS
CORMACK	HOBBIE	NEILSON	SEWELL	WILLIAMS
CURRAN	HOLAHAN	NELSON	SHELDON	WILLIS
DUELL	HOLBROOK	NIVEN	SKINNER	WINCH
FISH	HOYT			

Those who voted in the negative, were

BEARD BROWNING

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to repeal section 8 of chapter 36 of the Laws of 1863, entitled 'An act authorizing the village of West Troy to pave Broad street therein from Auburn street to its southern terminus ; to procure a steam fire engine, and the necessary hose, hose carriage, lot, and engine house for the same, and to borrow money for such purposes ; also, empowering the said village to light the streets thereof, and directing that the police constables of said village be uniformed and wear the badge of office,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87.

NOES 1.

Those who voted in the affirmative, were

ALVORD	FITZGERALD	JONES	NIVEN	SHELDON
ANDREWS	FLOYD-JONES	KEATOR	NORTH	SKINNER
BAKER	FLYNN	KEEGAN	NOYES	SLITER
BATHE	FOSTER	KELLOGG	PATTENGILL	STORY
BERGEN	GALVIN	KERN	CICERO C. PECK	STRACK
BERRY	GILBERT	KING	PEEK	SUTHERLAND
BOUCK	GRADY	LOVELAND	PIPER	E. TAYLOR
BROWNING	GRAHAM	MAPES	POOL	THAIN
BRUNDAGE	GRIGGS	MATTISON	PRESCOTT	THOMSON
CASE	HALLIDAY	MCDONOUGH	PURDY	WAKELY
CHAPPELL	HAMILTON	MEAD	REYNOLDS	WARING
CHASE	I. I. HAYES	MEKEEL	ROWLAND	WEMPLE
CLARK	HEPBURN	S. V. R. MILLER	SAWYER	WILBOR
CONVERSE	HOBBIE	MOLLER	SEARING	WILLERS
CORMACK	HOLAHAN	MEYENBORG	SEEBACHER	WILLIAMS
CURRAN	HOLBROOK	NEILSON	SEWELL	WILLIS
DUELL	HOYT	NELSON	SHANLEY	WINCH
FISH	HULME			

For the negative,

BEARD

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act relative to the justices of the Supreme Court in the third judicial district," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 60.

NOES 33.

Those who voted in the affirmative, were

ALVORD	CHASE	GILBERT	MCDONOUGH	PURDY
ANDREWS	CLANCY	GRADY	MEAD	ROWLAND
BAKER	CLARK	GRAHAM	MEKEEL	SEARING
BATHE	CONVERSE	HAMILTON	S. V. R. MILLER	SEEBACHER
BERGEN	DALY	I. I. HAYES	MEYENBORG	SEWELL
BERRIGAN	DOUGLASS	HOBBIE	NIVEN	SHANLEY
BERRY	DUELL	HOLAHAN	NORTH	SHELDON
BROOKS	FISH	HULME	NOYES	SLITER
BROWNING	FITZGERALD	JONES	PARKER	THAIN
BRUNDAGE	FLOYD-JONES	KEEGAN	PEEK	WARING
BURNS	FLYNN	KERN	PIPER	WILBOR
CASE	GALVIN	KING	PRESCOTT	WILLIS

Those who voted in the negative, were

BEARD	HALLIDAY	MATTISON	SAWYER	TERRY
BOUCK	HEPBURN	NEILSON	SKINNER	THOMSON
CHAPELL	HOLBROOK	NELSON	STORY	WEMPLE
CORMACK	HOYT	PATTENGILL	STRACK	WILLERS
CURRAN	KELLOGG	POOL	SUTHERLAND	WILLIAMS
FOSTER	LOVELAND	REYNOLDS	E. TAYLOR	WINCH
GRIGGS	MAPES	ROBERTS		

Mr. Bergen moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

Mr. Bergen introduced a bill entitled "An act to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Roberts introduced a bill entitled "An act to amend an act entitled 'An act to authorize the construction of a McAdam road, in the town of Deerfield,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. North introduced a bill entitled "An act enlarging the powers of the recorder and police force of the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Rowland introduced a bill entitled "An act to authorize the common council of the city of Ogdensburgh to raise money for the purpose of finishing and furnishing additional school rooms for the common schools of said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Rowland, and by unanimous consent, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ANDREWS	CONVERSE	HOLBROOK	NORTH	SKINNER
BAKER	CORMACK	HOYT	NOYES	SLITER
BATHE	CURRAN	HULME	PALMER	STORY
BEARD	DOUGLASS	JONES	PATTENGILL	STRACK
BERGEN	DUELL	KEEGAN	PEEK	SUTHERLAND
BERRIGAN	FISH	KELLOGG	PIPER	E. TAYLOR
BERRY	FITZGERALD	KERN	POOL	TERRY
BOUCK	FLOYD-JONES	KING	PRESCOTT	THAIN
BROOKS	FLYNN	LOVELAND	REYNOLDS	THOMSON
BROWNING	FOSTER	MATTISON	ROBERTS	WAKELY
BRUNDAGE	GALVIN	MCDONOUGH	ROWLAND	WARING
CASE	GILBERT	MEAD	SAWYER	WEMPLE
CHAPPELL	GRADY	MOLLER	SEARING	WILBOR
CHASE	HEPBURN	NEILSON	SEWELL	WILLERS
CLANCY	HOBBIE	NELSON	SHANLEY	WILLIS
CLARK	HOLAHAN	NIVEN	SHELDON	WINCH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sawyer introduced a bill entitled "An act to provide for equality in rates of transportation, storage and handling of property carried wholly or partly by railroad in the State of New York, prohibiting rebates and drawbacks and contracts therefor, providing for equal facilities for the transportation, handling and storing of freight, the publication of schedules for infliction of penalties for violation of this act, and to prevent violent and injurious fluctuations and unjust discriminations in the carrying, storage, or handling of such property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Speaker introduced a bill entitled "An act in relation to certain moneys paid to the excise commissioners of the city of New York, during the year 1877," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, said bill was ordered to a third reading.

Mr. Shanley introduced a bill entitled "An act to authorize the appointment of a clerk by the coroners of the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Grady offered, for the consideration of the House, a privileged resolution in the words following :

Whereas, This House, with deep regret, received the sad intelligence of the death of Hon. Felix Murphy, who, during the session of 1876, was the representative in the Assembly of the Second district of New York county ;

Resolved, That, out of respect to the memory of the deceased, this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Whereupon, at 9 o'clock and 50 minutes, the House adjourned.

TUESDAY, MAY 7, 1878.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

On motion of Mr. Nelson, and by unanimous consent, the committee of the whole was discharged from the further consideration of Assembly bill entitled "An act to further amend the act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," and said bill was ordered to a third reading.

This being the day assigned, under the rule, for the consideration of general orders,

The House then resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to amend chapter 371 of the Laws of 1877, entitled 'An act to provide for the introduction of an improved system of steam towage upon the canals of the State.'"

"An act for the better protection of the mechanics of this State, by regulating the use of convict labor in the several prisons of the State, and for other purposes."

"An act regulating the compensation to be paid to railroad companies for the transportation of milk."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Palmer, from said committee, reported in favor of the passage of the first named bill, which report was agreed to, and the same ordered to a third reading.

Mr. Palmer, from the said committee, also reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Browning moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered engrossed for a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, as follows:

AYES 57. NOES 35.

Those who voted in the affirmative, were

ASTOR	CURRAN	J. HAYES	MATTISON	ROBERTS
BAKER	DALY	HENRY	MCDONOUGH	ROWLAND
BATHE	DAY	HOBBIE	MEAD	SEARING
BEARD	DOUGLASS	HOLAHAN	MEKEEL	SEEBACHER
BERGEN	DUELL	HOLBROOK	MOLLER	SEWELL
BERRIGAN	FISH	JONES	MEYENBORG	STRACK
BROWNING	FITZGERALD	KEEGAN	NELSON	THAIN
CLANCY	FLOYD-JONES	KELLOGG	PATTERSON	WARING
CONVERSE	FOSTER	LANGNER	PIPER	WEMPLE
CORMACK	FRANK	LOVELAND	PRESCOTT	WHEELER
CRANDALL	GALVIN	MAPES	PURDY	WORTH
CROWLEY	HAMILTON			

Those who voted in the negative, were

ALVORD	DEYOE	S. V. R. MILLER	REYNOLDS	TERRY
BERRY	GILBERT	MOOERS	SAWYER	THOMSON
BRUNDAGE	HAVENS	NORTH	SHEARD	TOWNSLEY
CASE	HEPBURN	NOYES	SHELDON	WAKELY
CHASE	HULME	PALMER	SKINNER	WILBOR
CLAPP	KEATOR	PARKER	SUTHERLAND	WILLIS
CLARK	KERN	PATTENGILL	E. TAYLOR	WINCH

Said bill was then ordered engrossed for a third reading.

Mr. Palmer, from the same committee, also reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Pursuant to instructions of the House, Mr. Clapp made a report from the committee on banks, in the words following:

Mr. Clapp, from the committee on banks, to which was referred the resolution relative to the better protection of depositors in savings banks, reported a bill entitled "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Clapp, and by unanimous consent, said bill was ordered printed and to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to create a board of charities in the several counties of this State."

"An act to amend chapter 195 of the Laws of 1846, entitled 'An act to authorize the New York and New Haven Railroad Company to extend their railroad from the Connecticut line to the New York and Harlem railroad.'"

"An act defining and limiting the duties of certain officials."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Crandall, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Kern moved to recommit said bill to the committee on internal affairs, with instructions to amend the same by striking out all counties of the State, except the county of Oneida.

Mr. Prescott moved to amend by instructing said committee to report forthwith.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Prescott, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Kern, as amended, and it was determined in the affirmative.

Mr. Crandall, from the same committee, also reported that they had examined the second named bill, had stricken out the title thereof, and reported the same to the House.

Mr. Moller moved to disagree with the report of the committee, and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, as follows:

AYES 43.

NOES 33.

Those who voted in the affirmative, were

ANDREWS	DAY	HOBBIE	PARKER	SLITER
BATHE	DOUGLASS	JONES	PATTENGILL	THOMSON
BEARD	FITZGERALD	KELLOGG	CICERO C. PECK	WADSWORTH
BERRIGAN	FLOYD-JONES	LANGNER	PIPER	WAKELY
BOUCK	GALVIN	LOVELAND	PROPER	WEMPLE
BROWNING	HALLIDAY	MCDONOUGH	PURDY	WILBOR
CONVERSE	HAMILTON	MEAD	SEARING	WILLIAMS
CORMACK	HAVENS	MOLLER	SKINNER	WINCH
CROWLEY	J. HAYES	NIVEN		

Those who voted in the negative, were

ALVORD	CLARK	HOYT	MOOERS	SHEARD
ASTOR	DUELL	HULME	NORTH	SHELDON
BROOKS	FISH	HURD	NOYES	STORY
BRUNDAGE	GRIGGS	KEATOR	PALMER	SUTHERLAND
CASE	I. I. HAYES	KERN	REYNOLDS	WHEELER
CHAPPELL	HENRY	KING	SAWYER	WILLIS
CHASE	HEPBURN	MEKEEL		

Mr. Crandall, from the same committee, also reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Skinner, from the committee on internal affairs, reported back Assembly bill entitled "An act to create a board of charities in the several counties of this State," amended as instructed by the House.

Mr. Prescott moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Purdy offered, for the consideration of the House (pursuant to previous notice), a resolution in the words following:

Resolved, That the 37th and 41st rules be suspended, in order that the bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" may be ordered to a third reading without being considered in the committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, as follows:

AYES 82.

NOES 13.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HEPBURN	S. V. R. MILLER	SHEARD
ALLEN	CROWLEY	HOBBIE	MOLLER	SHELDON
ALVORD	DALY	HOLBROOK	MOOERS	SKINNER
ANDREWS	DAY	HOYT	NIVEN	STORY
ASTOR	DEYOE	HULME	NORTH	STRACK
BEARD	DUELL	HURD	NOYES	E. TAYLOR
BERGEN	FISH	JONES	PALMER	TERRY
BERRY	FITZGERALD	KEATOR	PATTENGILL	WADSWORTH
BOUCK	FLOYD-JONES	KELLOGG	CICERO C. PECK	WAKELY
BROOKS	GILBERT	KERN	PIPER	WARING
BRUNDAGE	GRAHAM	KING	POOL	WEMPLE
CASE	GRIGGS	LANGNER	PRESCOTT	WILBOR
CHAPPELL	HALLIDAY	LOVELAND	PROPER	WILLERS
CHASE	HAMILTON	MAPES	PURDY	WILLIAMS
CLANCY	HAVENS	MEAD	REYNOLDS	WILLIS
CLAPP	J. HAYES	MEKEEL	SAWYER	WINCH
CLARK	HENRY			

Those who voted in the negative, were

BATHE	GALVIN	MCDONOUGH	SEEBACHER	THOMSON
DERRIGAN	HOLAHAN	PATTERSON	J. T. TAYLOR	TOWNSLEY
FRANK	KEEGAN	ROBERTS		

Mr. Purdy moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Day offered, for the consideration of the House, a resolution in the words following :

Resolved, That Senate bill No. 156, being "An act to incorporate the Homœopathic Medical College of the city of Buffalo," be and the same is hereby referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read informing of concurrence in the passage of the following resolution :

Resolved (if the Senate concur), That a respectful message be sent to His Excellency the Governor requesting the return, for amendment, of Assembly bill No. 201, entitled "An act to amend section 1, chapter 316 of the Laws of 1876, entitled 'An act relative to judgments entered upon forfeited recognizances in the city and county of New York.'"

Ordered, That the Clerk deliver said resolution to the Governor.

The privileges of the floor were granted to Hon. Nicholas Haughton, a former member of this House.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

"An act to regulate the sale of ale, beer, lager beer, and other fermented liquors."

Senate, "An act to amend article 3, title 1 of chapter 8, part 2 of the Revised Statutes, entitled 'Of divorces, dissolving the marriage contract.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Holbrook, from said committee, reported progress on the first and last named bills, and asked and obtained leave to sit again.

Mr. Sewell, from the same committee, also reported in favor of the passage of the second named bill, which report was agreed to, and the same ordered engrossed for a third reading.

Mr. Gilbert moved that the committee of the whole be discharged from the further consideration of the last above-named bill, and that the same be recommitted to the committee on the judiciary, with instructions to strike out the enacting clause.

Mr. Bergen moved to amend said motion by striking out all after the words "consideration of the last above-named bill," and inserting in lieu thereof the words "and that said bill be ordered to a third reading."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Bergen, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Gilbert, as amended, and it was determined in the affirmative, and said bill was ordered to a third reading.

Mr. Speaker and the Clerk, with the consent of the Assembly, referred the following entitled bills to the sub-committee of the whole :

G. O. 696, No. 562, "An act conferring additional powers upon the trustees of the village of Le Roy."

G. O. 702, No. 563, "An act to amend chapter 173 of the Laws of 1874, entitled 'An act to fix the time for transacting the business of the town at the annual town meeting for election of town officers.'"

G. O. 711, No. 569, "An act in relation to suits brought to remove clouds upon title of real estate."

G. O. 720, No. 571, "An act to amend chapter 763 of the Laws of 1872,

entitled 'An act to amend an act entitled An act to amend the charter of the village of Saratoga Springs,' passed March 26, 1866, and the acts amendatory thereof."

G. O. 721, No. 572, "An act to amend chapter 426 of the Laws of 1847, as re-enacted by section 32 of chapter 628 of the Laws of 1874."

Senate, G. O. 698, No. 197, "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies.'"

Senate, G. O. 714, No. 140, "An act for the relief of John Waller, jr."

Senate, G. O. 713, No. 267, "An act to make effectual judicial decrees against unknown owners."

Senate, G. C. 715, No. , "An act to authorize the appointment of a librarian to take charge of the Library of the Sixth judicial district, and to provide for the insurance thereof."

Senate, G. O. 717, No. 242, "An act affecting certain streets within the improvement district in Long Island City."

Senate, G. O. 723, No. 124, "An act to amend chapter 411 of the Laws of 1877, entitled 'An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

Senate, G. O. 724, No 241, "An act for the preservation of fish and to prevent the deposit of carrion or any deleterious substances on any fishing grounds, or in any rivers, creeks or waters within or adjacent to the county of Kings."

Senate, G. O. 614, No. 196, "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

G. O. 606, No. 517, "An act supplementary to chapter 29 of the Laws of 1865, in relation to the payment of bounties."

Senate, G. O. 712, No. 143, "An act to authorize corporations organized under the Laws of this State to reduce their capital stock."

By unanimous consent,

Mr. Burns presented a petition of citizens of Troy in regard to procuring a pure and wholesome supply of water; which was read and referred to the committee on affairs of cities.

The hour of 2 having arrived, the House took a recess until 4 o'clock and 30 minutes P. M.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

Mr. Alvord in the chair.

Mr. Speaker directed the Clerk to call the roll so as to ascertain if a quorum was present, when the following gentlemen answered to their names:

ALVORD	FLOYD-JONES	LANGNER	PARKER	SUTHERLAND
ANDREWS	FRANK	LOVELAND	PATTERSON	THAIN
ASTOR	GILBERT	MAPES	CICERO C. PECK	TOWNSLEY
BAKER	GRAHAM	MCDONOUGH	PEEK	VALENTINE
BATHE	GRIGGS	MEAD	POOL	WADSWORTH
BEARD	HALLIDAY	MEKKEL	PRESCOTT	WAKELY
BERRIGAN	HAMILTON	S. V. R. MILLER	ROWLAND	WARING
BROWNING	HAVENS	MOLLER	SAWYER	WEMPLE
CASE	HEPBURN	MOOERS	SEEBACHER	WHEELER

CHAPPELL	HOLBROOK	MEYENBORG	SEWELL	WILBOR
CLANCY	HOYT	NEILSON	SHEARD	WILLERS
CLAPP	KEEGAN	NELSON	SHELDON	WILLIAMS
CORMACK	KELLOGG	NOYES	SKINNER	WINCH
DEYOE	KING	PALMER	STRACK	WORTH

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A quorum being present,

Mr. Speaker announced, pursuant to the ninth joint rule, order of business, third reading of bills.

The Senate bill entitled "An act to alter the boundary line between the towns of Davenport and Meredith, in the county of Delaware," having been announced for a third reading,

Mr. Cormack moved that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 74.

NOES 13.

Those who voted in the affirmative, were

ALLEN	CONVERSE	HOLBROOK	NORTH	SKINNER
ALVORD	CRANDALL	HOYT	NOYES	STORY
ANDREWS	DEYOE	HULME	PALMER	STRACK
ASTOR	DOUGLASS	HURD	PARKER	SUTHERLAND
BAKER	DUELL	JONES	PATTENGILL	J. T. TAYLOR
BATHE	FITZGERALD	KEATOR	PATTERSON	VALENTINE
BERGEN	FLOYD-JONES	KEEGAN	PEEK	WADSWORTH
BERRIGAN	FOSTER	KING	POOL	WAKELY
BERRY	FRANK	LANGNER	PRESCOTT	WARING
BROWNING	GILBERT	MEAD	ROWLAND	WHEELER
BRUNDAGE	GRAHAM	MEKEEL	SAWYER	WILBOR
CASE	GRIGGS	S. V. R. MILLER	SEWELL	WILLIS
CHAPPELL	HAMILTON	MOOERS	SHANLEY	WINCH
CLAPP	I. I. HAYES	MEYENBORG	SHEARD	WORTH
CLARK	HEPBURN	NEILSON	SHELDON	

Those who voted in the negative, were

BEARD	HALLIDAY	LOVELAND	NELSON	THAIN
CORMACK	HAVENS	MAPES	CICERO C. PECK	TOWNSLEY
GRADY	KELLOGG	MOLLER		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Speaker presented a communication from the Governor in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 7, 1878. }

To the Assembly:

In accordance with a joint resolution of the Senate and Assembly, I return, for amendment, Assembly bill No. 201, entitled "An act to amend section 1, chapter 316 of the Laws of 1876, entitled 'An act relative to judgments entered upon forfeited recognizances in the city and county of New York.'"

L. ROBINSON.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRANDALL	JONES	NORTH	SKINNER
ALVORD	DAY	KEATOR	NOYES	STORY
ANDREWS	DOUGLASS	KEEGAN	PALMER	STRACK
ASTOR	FISH	KELLOGG	PARKER	SUTHERLAND
BAKER	FITZGERALD	KING	PATTENGILL	J. T. TAYLOR
BEARD	FLOYD-JONES	LANGNER	PATTERSON	THAIN
BERGEN	FOSTER	MAPES	CICERO C. PECK	VALENTINE
BERRIGAN	GILBERT	MATTISON	DEWITT C. PECK	WADSWORTH
BERRY	GRADY	MCDONOUGH	PEEK	WAKELY
BROWNING	GRAHAM	MEAD	POOL	WARING
BRUNDAGE	GRIGGS	MEKEEL	PRESCOTT	WEMPLE
BURNS	HALLIDAY	S. V. R. MILLER	ROWLAND	WHEELER
CASE	HAVENS	MOLLER	SAWYER	WILBOR
CHAPPELL	I. I. HAYES	MOOERS	SEEBACHER	WILLERS
CLAPP	HEPBURN	MEYENBORG	SEWELL	WILLIAMS
CLARK	HOLBROOK	NEILSON	SHANLEY	WINCH
CONVERSE	HOYT	NELSON	SHELDON	WORTH
CORMACK	HURD			

On motion of Mr. Thain, and by unanimous consent, said bill was amended in the words following :

Section 1, printed bill, strike out all after the enacting clause down to and including the word "follows," in line 4.

Section 3, strike out the words "This act shall take effect immediately," and insert in lieu thereof the words "All acts or parts of acts inconsistent with the provisions of this act are hereby repealed."

Insert, as section 4, the following :

"§ 4. This act shall take effect immediately."

Amend the title by striking out the words "to amend section 1, chapter 316 of the Laws of 1876, entitled 'An act.'"

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CLARK	KEATOR	PALMER	SKINNER
ALVORD	CONVERSE	KEEGAN	PARKER	STORY
ANDREWS	CRANDALL	KERN	PATTENGILL	STRACK
ASTOR	DEYOE	KING	PATTERSON	SUTHERLAND
BAKER	DOUGLASS	LANGNER	CICERO C. PECK	J. T. TAYLOR
BATHE	FISH	LOVELAND	PEEK	THAIN
BEARD	FLOYD-JONES	MCDONOUGH	POOL	TOWNSLEY
BERGEN	FOSTER	MEAD	PRESCOTT	WADSWORTH
BERRIGAN	GILBERT	MEKEEL	ROBERTS	WARING
BERRY	GRADY	S. V. R. MILLER	ROWLAND	WEMPLE
BOUCK	GRIGGS	MOLLER	SAWYER	WILBOR
BROOKS	HALLIDAY	MOOERS	SEEBACHER	WILLERS
BROWNING	HAMILTON	MEYENBORG	SEWELL	WILLIAMS
BRUNDAGE	HENRY	NEILSON	SHANLEY	WILLIS
BURNS	HEPBURN	NORTH	SHEARD	WINCH
CASE	HURD	NOYES	SHELDON	WORTH
CHASE	JONES			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Grady moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act to amend chapter 442 of the Laws of 1877, entitled 'An act to authorize the recovery at law for certain printing done for and stationery furnished to the boards of aldermen and assistant aldermen in the city of New York,'" was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CHASE	HENRY	NEILSON	SHEARD
ALVORD	CLANCY	HOLEROOK	PALMER	SHELDON
ANDREWS	CLAPP	HOYT	PARKER	SKINNER
ASTOR	CLARK	HURD	PATTERSON	STORY
BAKER	CONVERSE	JONES	PEEK	E. TAYLOR
BATHE	CRANDALL	KEEGAN	POOL	J. T. TAYLOR
BEARD	DALY	KELLOGG	PRESCOTT	THOMSON
BERGEN	DEYOE	KING	PROPER	TOWNSLEY
BERRIGAN	FISH	LANGNER	ROBERTS	VALENTINE
BERRY	FLOYD-JONES	LOVELAND	ROWLAND	WADSWORTH
BOUCK	FRANK	MCDONOUGH	SAWYER	WAKELY
BROWNING	GRADY	MEKEEL	SEARING	WEMPLE
BRUNDAGE	GRIGGS	S. V. R. MILLER	SEEBACHER	WILBOR
BURNS	HALLIDAY	MOLLER	SEWELL	WILLIS
CASE	HAMILTON	MOOERS	SHANLEY	WORTH
CHAPPELL	HAVENS			

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 2.

Those who voted in the affirmative, were

ALVORD	DALY	JONES	NOYES	STRACK
ANDREWS	DEYOE	KEATOR	PALMER	SUTHERLAND
ASTOR	DOUGLASS	KEEGAN	PARKER	E. TAYLOR
BAKER	FISH	KELLOGG	PATTENGILL	J. T. TAYLOR
BATHE	FLOYD-JONES	KING	PATTERSON	THOMSON
BEARD	FOSTER	LANGNER	POOL	TOWNSLEY
BERGEN	FRANK	LOVELAND	PRESCOTT	VALENTINE
BERRIGAN	GRADY	MCDONOUGH	PROPER	WADSWORTH
BERRY	GRIGGS	MEAD	REYNOLDS	WAKELY
BROWNING	HALLIDAY	MEKEEL	ROBERTS	WARING
BRUNDAGE	HAMILTON	S. V. R. MILLER	ROWLAND	WEMPLE
BURNS	HAVENS	MOLLER	SAWYER	WHEELER
CHASE	I. I. HAYES	MOOERS	SEEBACHER	WILBOR
CLANCY	HENRY	MEYENBORG	SEWELL	WILLERS
CLAPP	HEPBURN	NEILSON	SHEARD	WILLIAMS
CLARK	HOYT	NELSON	SHELDON	WILLIS
CRANDALL	HURD	NORTH	STORY	WORTH

Those who voted in the negative, were

DUELL

SKINNER

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act in relation to the publication of the Session Laws in the county of Rensselaer."

"An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs reservation by the Commissioners of the Land Office,' passed April 18, 1874."

"An act to amend chapter 664 of the Laws of 1873, entitled 'An act to organize the village of Monticello into a separate school district, and to provide for the purchase of a site and erection of a school edifice.'"

"An act in relation to the bonded debt of the town of White Plains, in the county of Westchester."

"An act to amend chapter 401 of the Laws of 1877, entitled 'An act to amend chapter 767 of the Laws of 1872, entitled An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution.'"

"An act to provide for the distribution of the acts of the Legislature to town clerks' offices."

"An act in relation to the Manual Labor school upon the Tonawanda reservation."

"An act for the protection of life and limb."

"An act in relation to the assessment for the repavement of Atlantic avenue with granite pavement in the city of Brooklyn."

"An act to authorize the board of estimate and apportionment of the city of New York to acquire title to portions of Ward's Island, and the water rights surrounding the same, not now belonging to the said city."

"An act to amend chapter 296 of the Laws of 1877, entitled 'An act to provide for the removal of eel weirs and other devices for taking fish from the Delaware river and any of its tributaries, and to prevent the maintenance of such devices.'"

"An act in relation to certain moneys paid to the excise commissioners of the city of New York during the year 1877."

"An act to amend chapter 224 of the Laws of 1874, entitled 'An act to repeal chapter 440 of the Laws of 1873, entitled An act requiring commissioners of highways to act as inspectors of plankroads and turnpikes, so far as the same relates to the counties of Clinton, Chenango, Seneca, Queens, Orange, Essex, Cayuga, Madison and Steuben.'"

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,' so far as the same relates to the county of Orange."

"An act to amend chapter 283 of the Laws of 1871, entitled 'An act to amend an act entitled An act to amend chapter 907 of the Laws of 1869, entitled An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads."

"An act in relation to actions of partition."

"An act for the better security of life from fire in hotels and other buildings."

"An act to facilitate the completion of the Syracuse, Phoenix and Oswego railroad."

"An act for the preservation of fish, and to prevent the deposit of carbon or any deleterious substances on any fishing grounds, or in any rivers, creeks or waters within or adjacent to the county of Kings."

"An act to amend chapter 75 of the Laws of 1878, entitled 'An act in relation to the bonded indebtedness of villages, cities, towns and counties.'"

"An act to transfer the care and control of Bedford avenue, in the city of Brooklyn, to the park commissioners of said city."

"An act to release the interest of the people of the State of New York in certain real estate in the counties of Greene and Delaware to Julia E. Stewart."

"An act to authorize and require the Secretary of State to collect and report labor statistics."

"An act to amend chapter 250 of the Laws of 1849, entitled 'An act in relation to plank and turnpike roads.'"

"An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof."

"An act to amend chapter 83 of the Laws of 1873, entitled 'An act to legalize the adoption of minor children by adult persons.'"

The Senate bill entitled "An act to provide for the erection of an iron bridge at Fourth avenue and the Eastern boulevard at One Hundred and Sixteenth street, in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 76.

NOES 2.

Those who voted in the affirmative, were

ALLEN	DUELL	HULME	NOYES	SUTHERLAND
ALVORD	FISH	HURD	PALMER	E. TAYLOR
ANDREWS	FLOYD-JONES	JONES	PATTENGILL	J. T. TAYLOR
BAKER	FOSTER	KEATOR	CICERO C. PECK	THAIN
BEARD	FRANK	KING	POOL	THOMSON
BERRIGAN	GALVIN	LANGNER	REYNOLDS	TOWNSLEY
BERRY	GRADY	LOVELAND	ROBERTS	VALENTINE
BRUNDAGE	GRIGGS	MCDONOUGH	ROWLAND	WADSWORTH
CASE	HALLIDAY	MEAD	SAWYER	WAKELY
CHAPPELL	HAMILTON	MEKEEL	SEWELL	WEMPLE
CHASE	HAVENS	S. V. R. MILLER	SHEARD	WILBOR
CLANCY	I. I. HAYES	MOOERS	SHELDON	WILLERS
CLAPP	HEPBURN	MEYENBORG	SKINNER	WILLIAMS
CLARK	HOLBROOK	NIVEN	STORY	WILLIS
CRANDALL	HOYT	NORTH	STRACK	WORTH
DOUGLASS				

Those who voted in the negative, were

ASTOR PRESCOTT

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act in relation to the publication of the Session Laws in the county of Rensselaer," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CLARK	HOYT	NIVEN	STRACK
ALVORD	CORMACK	HULME	NORTH	SUTHERLAND
ANDREWS	COSAD	HURD	NOYES	E. TAYLOR
ASTOR	CURRAN	JONES	PALMER	J. T. TAYLOR
BAKER	DALY	KELLOGG	PARKER	THAIN
BEARD	DEYOE	KERN	PATTENGILL	THOMSON
BERRIGAN	DUELL	KING	CICERO C. PECK	TOWNSLEY
BERRY	FISH	LANGNER	POOL	VALENTINE
BOUCK	FITZGERALD	LOVELAND	PRESCOTT	WADSWORTH
BROOKS	FLOYD-JONES	MAPES	REYNOLDS	WAKELY
BROWNING	GALVIN	MATTISON	ROBERTS	WARING
BRUNDAGE	GRADY	MCDONOUGH	SEARING	WEMPLE
BURNS	GRIGGS	MEAD	SEEBACHER	WILBOR
CASE	HAMILTON	MEKEEL	SEWELL	WILLERS
CHAPPELL	HAVENS	S. V. R. MILLER	SHELDON	WILLIS
CHASE	I. I. HAYES	MOLLER	SKINNER	WINCH
CLANCY	HEPBURN	MOOERS	STORY	WORTH
CLAPP	HOLBROOK	NELSON		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine-salt lots on the Onondaga Salt Springs reservation by the Commissioners of the Land Office,' passed April 18, 1874," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 84.

NOES 1.

Those who voted in the affirmative, were

ALLEN	CLARK	HULME	NORTH	SHELDON
ALVORD	CONVERSE	HURD	PALMER	SKINNER
ANDREWS	CRANDALL	JONES	PARKER	STORY
ASTOR	DOUGLASS	KEATOR	PATTENGILL	STRACK
BAKER	DUELL	KELLOGG	CICERO C. PECK	SUTHERLAND
BATHE	FISH	KERN	POOL	E. TAYLOR
BERRIGAN	FITZGERALD	KING	PRESCOTT	J. T. TAYLOR
BOUCK	FLOYD-JONES	LOVELAND	PROPER	THOMSON
BROOKS	FOSTER	MAPES	PURDY	TOWNSLEY
BROWNING	FRANK	MEKEEL	REYNOLDS	VALENTINE
BRUNDAGE	GALVIN	S. V. R. MILLER	ROBERTS	WAKELY
BURNS	GRADY	MOLLER	SAWYER	WARING
CASE	HAMILTON	MOOERS	SEARING	WEMPLE
CHAPPELL	HAVENS	MEYENBORG	SEEBACHER	WILBOR
CHASE	I. I. HAYES	NEILSON	SEWELL	WILLIS
CLANCY	HOLBROOK	NELSON	SHANLEY	WORTH
CLAPP	HOYT	NIVEN	SHEARD	

For the negative,

BEARD

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 664 of the Laws of 1873, entitled 'An act to organize the village of Monticello into a separate school district, and to provide for the purchase of a site and erection of a school edifice,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	DALY	JONES	NOYES	SUTHERLAND
ALLEN	DAY	KEATOR	PALMER	E. TAYLOR
ALVORD	DEYOE	KELLOGG	PATTENGILL	J. T. TAYLOR
ASTOR	DUELL	KERN	CICERO C. PECK	THAIN
BATHE	FISH	KING	POOL	THOMSON
BERGEN	FLOYD-JONES	LOVELAND	PRESCOTT	TOWNSLEY
BERRIGAN	FOSTER	MCDONOUGH	REYNOLDS	VALENTINE
BROOKS	GALVIN	MEAD	ROBERTS	WADSWORTH
BROWNING	GRADY	MEKEEL	SAWYER	WARING
BRUNDAGE	GRIGGS	S. V. R. MILLER	SEARING	WEMPLE
CASE	HAMILTON	MOLLER	SEEBACHER	WHEELER
CHAPPELL	I. I. HAYES	MOOERS	SEWELL	WILBOR
CLANCY	HOLBROOK	MEYENBORG	SHANLEY	WILLERS
CLARK	HOYT	NELSON	SHELDON	WILLIS
CONVERSE	HULME	NIVEN	SKINNER	WORTH
CRANDALL	HURD	NORTH	SLITER	

For the negative,

BEARD

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the bonded debt of the town of White Plains, in the county of Westchester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HOLBROOK	NORTH	SLITER
ALLEN	CONVERSE	HOYT	NOYES	STORY
ALVORD	DALY	HULME	PALMER	E. TAYLOR
ASTOR	DEYOE	JONES	PATTENGILL	J. T. TAYLOR
BAKER	DOUGLASS	KEATOR	POOL	THAIN
BATHE	DUELL	KELLOGG	PRESCOTT	THOMSON
BEARD	FISH	KERN	PROPER	TOWNSLEY
BERGEN	FITZGERALD	KING	REYNOLDS	VALENTINE
BERRIGAN	FLOYD-JONES	LANGNER	ROBERTS	WADSWORTH
BERRY	GALVIN	LOVELAND	SAWYER	WAKELY
BROOKS	GRADY	MCDONOUGH	SEARING	WARING
BROWNING	HALLIDAY	MEKEEL	SEEBACHER	WHEELER
BRUNDAGE	HAVENS	S. V. R. MILLER	SEWELL	WILLIAMS
CASE	I. I. HAYES	MOLLER	SHANLEY	WILLIS
CHAPPELL	HEPBURN	NEILSON	SHELDON	WINCH
CHASE	HOBBIE	NIVEN	SKINNER	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 401 of the Laws of 1877, entitled 'An act to amend chapter 767 of the Laws of 1872, entitled An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DEYOE	KEATOR	NIVEN	SLITER
ALLEN	DOUGLASS	KEEGAN	NORTH	SUTHERLAND
ALVORD	DUELL	KELLOGG	PALMER	E. TAYLOR
ANDREWS	FISH	KERN	CICERO C. PECK	J. T. TAYLOR
ASTOR	FLOYD-JONES	KING	PEEK	TERRY
BATHE	FLYNN	LOVELAND	PIPER	THAIN
BEARD	FOSTER	MAPES	POOL	THOMSON
BERRIGAN	GALVIN	MCDONOUGH	PROPER	TOWNSLEY
BROOKS	GRIGGS	MEAD	REYNOLDS	WADSWORTH
BROWNING	HALLIDAY	MEKEEL	SAWYER	WAKELY
BRUNDAGE	HAVENS	S. V. R. MILLER	SEARING	WARING
BURNS	I. I. HAYES	MOLLER	SEEBACHER	WEMPLE
CHAPPELL	HENRY	MOOERS	SEWELL	WHEELER
CLAPP	HEPBURN	MEYENBORG	SHEARD	WILBOR
CLARK	HOLAHAN	NEILSON	SHELDON	WILLERS
CORMACK	JONES	NELSON	SKINNER	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the distribution of the acts of the Legislature to town clerks' offices," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HOBBIE	NIVEN	SKINNER
ALLEN	CLARK	HOYT	NOYES	SLITER
ALVORD	CRANDALL	JONES	PALMER	STRACK
ANDREWS	DAY	KEATOR	PATTENGILL	E. TAYLOR
BAKER	DEYOE	KEEGAN	CICERO C. PECK	J. T. TAYLOR
BEARD	DOUGLASS	KELLOGG	PEEK	TERRY
BERGEN	DUELL	KERN	POOL	THOMSON
BERRY	FLOYD-JONES	KING	PRESCOTT	TOWNSLEY
BROOKS	FOSTER	LANGNER	REYNOLDS	WAKELY
BROWNING	GALVIN	LOVELAND	ROBERTS	WARING
BRUNDAGE	GRADY	MCDONOUGH	SAWYER	WEMPLE
BURNS	GRAHAM	MEKEEL	SEARING	WHEELER
CASE	HAMILTON	S. V. R. MILLER	SEEBACHER	WILBOR
CHAPPELL	I. I. HAYES	MOLLER	SEWELL	WILLIAMS
CHASE	HENRY	MOOERS	SHEARD	WINCH
CLANCY	HEPBURN	NELSON	SHELDON	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Berry presented a report from the sub-committee of the whole ; which was laid upon the table and ordered printed.

(See Doc. No. 134.)

On motion of Mr. Berry, and by unanimous consent, the bill entitled "An act relating to the elections in the city of Albany," was ordered reprinted as amended.

The bill entitled "An act to provide for the preservation of fish in Monroe county," having been announced for a third reading,

Mr. Chappell moved that said bill be referred to the committee on game laws, with instructions to amend the same as follows :

In section 1, line 2, strike out the words "bull-heads and eels."

After the word "rivers," in line 3, same section, add the words "or creeks within two miles of Lake Ontario," and report forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Case, from the committee on game laws, reported back said bill amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HEPBURN	NIVEN	SKINNER
ALLEN	CURRAN	HOLBROOK	NORTH	SUTHERLAND
ALVORD	DALY	HOYT	NOYES	E. TAYLOR
ASTOR	DAY	HULME	PATTENGILL	TERRY
BAKER	DEYOE	HURD	CICERO C. PECK	THAIN
BEARD	DELL	JONES	PIPER	THOMSON
BERGEN	FISH	KEEGAN	POOL	VALENTINE
BERRY	FITZGERALD	KELLOGG	PRESCOTT	WADSWORTH
BOUCK	FLOYD-JONES	KERN	REYNOLDS	WAKELY
BROOKS	FOSTER	KING	ROBERTS	WARING
BROWNING	GALVIN	LANGNER	ROWLAND	WEMPLE
BRUNDAGE	GRAHAM	MEAD	SAWYER	WILBOR
BURNS	GRIGGS	MEKEEL	SEARING	WILLERS
CHAPPELL	HALLIDAY	S. V. R. MILLER	SEEBACHER	WILLIS
CHASE	HAMILTON	MOLLER	SHANLEY	WINCH
CLAPP	HAVENS	MOOERS	SHEARD	WORTH
CLARK	HENRY	NELSON	SHELDON	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the Manual Labor school upon the Tonawanda reservation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HAVENS	MOOERS	SKINNER
ALLEN	CROWLEY	HOBBIE	MEYENBORG	SLITER
ALVORD	DALY	HOLBROOK	NELSON	STORY
ANDREWS	DAY	HOYT	NIVEN	STRACK
BAKER	DEYOE	HULME	NORTH	SUTHERLAND
BEARD	DELL	HURD	PARKER	E. TAYLOR
BERGEN	FISH	JONES	CICERO C. PECK	TERRY
BERRIGAN	FITZGERALD	KEEGAN	POOL	WADSWORTH
BERRY	FLOYD-JONES	KELLOGG	PRESCOTT	WAKELY
BOUCK	FLYNN	KERN	PROPER	WARING
BROWNING	FOSTER	KING	REYNOLDS	WEMPLE
BRUNDAGE	GALVIN	LANGNER	ROBERTS	WILBOR

BURNS	GRAHAM	MEAD	SAWYER	WILLERS
CHAPPELL	GRIGGS	MEKEEL	SEARING	WILLIS
CHASE	HALLIDAY	S. V. R. MILLER	SHEARD	WINCH
CLAPP	HAMILTON	MOLLER	SHELDON	WORTH
CLARK				

For the negative,

CORMACK

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Messrs. Fish and Clapp made the following privileged reports :

Mr. Fish, from the committee on affairs of cities, to which was recommit-
ted the bill introduced by Mr. Douglass, Int. No. 366, entitled "An act to
regulate the quality, supply, and price of illuminating gas, and for the
protection of manufacturers and consumers thereof (retaining its place
on the order of third reading of bills), reported in favor of the passage
of the same, with amendments, and said bill was ordered to a third
reading.

Mr. Clapp, from the committee on banks, to which was recommit-
ted the Senate bill, Int. No. 90, entitled "An act to amend chapter 371 of the
Laws of 1875, entitled 'An act to conform the charters of all savings
banks or institutions for savings, to a uniformity of powers, rights and
liabilities, and to provide for the organization of savings banks, for their
supervision and for the administration of their affairs,'" reported in favor
of the passage of the same, with amendments, which report was agreed
to, and said bill committed to the committee of the whole.

The Senate bill entitled "An act to amend chapter 371 of the Laws of
1875, entitled 'An act to conform the charters of all savings banks, or
institutions for savings, to a uniformity of powers, rights and liabilities,
and to provide for the organization of savings banks, for their supervision
and for the administration of their affairs,'" was read a third time.

Mr. Speaker put the question whether the House would agree to
the final passage of said bill, and it was determined in the affirmative,
a majority of all the members elected to the Assembly voting in favor
thereof, and three-fifths being present, as follows :

AYES 76.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOYT	PALMER	SLITER
ALVORD	DALY	HULME	PIPER	STRACK
BAKER	DAY	JONES	POOL	SUTHERLAND
BERGEN	DOUGLASS	LANGNER	PRESCOTT	E. TAYLOR
BERRY	FISH	MAPES	REYNOLDS	TERRY
BOUCK	FITZGERALD	MCDONOUGH	ROBERTS	THAIN
BROWNING	FLOYD-JONES	MEAD	ROWLAND	THOMSON
BRUNDAGE	FOSTER	MEKEEL	SAWYER	TOWNSLEY
BURNS	GALVIN	S. V. R. MILLER	SEARING	WADSWORTH
CASE	HALLIDAY	MOLLER	SEEBACHER	WAKELY
CHASE	HAMILTON	MOOERS	SEWELL	WARING
CLANCY	HAVENS	MEYENBORG	SHANLEY	WHEELER
CLAPP	I. I. HAYES	NEILSON	SHEARD	WILBOR
CLARK	HOBBIE	NELSON	SHELDON	WILLIS
CONVERSE	HOLBROOK	NIVEN	SKINNER	WINCH
COSAD				

For the negative,

BEARD

Ordered, That the Clerk return said bill to the Senate, with a message
informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act for the protection of life and limb," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	GRIGGS	MOLLER	SHEARD
ALVORD	CORMACK	HALLIDAY	MOOERS	SHELDON
BAKER	COSAD	I. I. HAYES	NEILSON	SKINNER
BATHE	CRANDALL	HOBBIE	NELSON	SLITER
BEARD	DALY	HOLBROOK	NIVEN	SUTHERLAND
BERGEN	DAY	HOYT	NORTH	E. TAYLOR
BERRIGAN	DEYOE	HULME	PALMER	TERRY
BERRY	DOUGLASS	JONES	CICERO C. PECK	THAIN
BOUCK	DUELL	KEEGAN	PIPER	THOMSON
BROWNING	FISH	KERN	POOL	WADSWORTH
BRUNDAGE	FITZGERALD	LANGNER	PRESCOTT	WAKELY
BURNS	FLOYD-JONES	LOVELAND	REYNOLDS	WARING
CASE	FOSTER	MAPES	ROBERTS	WILBOR
CHAPPELL	FRANK	MCDONOUGH	ROWLAND	WILLERS
CLAPP	GALVIN	MEKEEL	SAWYER	WILLIS
CLARK	GRADY	S. V. R. MILLER	SEARING	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read informing of non-concurrence in the passage of the bill entitled as follows :

"An act to alter the map or plan of Long Island City, in respect to certain streets in the Third and Fourth wards thereof."

The Senate sent for concurrence the following entitled bills :

"An act relating to the assessment of real property in the city of Brooklyn, county of Kings, owned and occupied by charitable corporations, societies or institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize the board of supervisors of the county of Broome to issue bonds for the purpose of raising money to pay the indebtedness of the county to the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 421 of the Laws of 1877, entitled 'An act supplemental to an act, entitled An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

"An act to further amend chapter 77 of the Laws of 1870, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act to establish a Capitol Police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That for the purpose of suitably representing and promoting the interests of penal science and practice in this State, and for the improvement of prisons and reformatories, the Governor of this State is hereby authorized and requested to appoint and duly commission a suitable person to attend the Prison Congress at Stockholm, in the month of August next, said commissioner not to be entitled to pay or compensation.

By unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the resolution relative to the distribution of the Census Report to members of the Legislature, with a message that they had passed the same amended to read as follows:

"Resolved (if the Senate concur), That the Secretary of State be hereby authorized to cause to be printed, and to distribute to each member of the Legislature twenty copies, and to each officer and reporter of the Senate and Assembly five copies of the Census Report of 1875, and 500 for general distribution by himself."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 64.

NOES 36.

Those who voted in the affirmative, were

ALVORD	DEYOE	HULME	NOYES	SUTHERLAND
BAKER	DOUGLASS	KERN	PALMER	TERRY
BATHE	DUELL	KING	PEEK	TOWNSLEY
BEARD	FISH	LANGNER	PIPER	WADSWORTH
BERGEN	FITZGERALD	LOVELAND	POOL	WAKELY
BERRIGAN	GALVIN	MAPES	ROWLAND	WARING
BOUCK	GRADY	MCDONOUGH	SAWYER	WEMPLE
BROWNING	GRAHAM	MEAD	SEARING	WHEELER
CASE	GRIGGS	S. V. R. MILLER	SEWELL	WILBOR
CHAPPELL	HALLIDAY	MOLLER	SHANLEY	WILLIAMS
CLAPP	HAMILTON	MOOERS	SHEARD	WILLIS
CRANDALL	I. I. HAYES	NELSON	SHELDON	WORTH
DAY	HOYT	NORTH	SLITER	

Those who voted in the negative, were

ABBOTT	COSAD	KEEGAN	CICERO C. PECK	E. TAYLOR
BERRY	FLOYD-JONES	KELLOGG	PRESCOTT	J. T. TAYLOR
BROOKS	FOSTER	MEKEEL	PROPER	THAIN
BRUNDAGE	FRANK	MEYENBORG	REYNOLDS	THOMSON
BURNS	HAVENS	NEILSON	ROBERTS	VALENTINE
CLARK	HOLBROOK	NIVEN	SEEBACHER	WILLERS
CONVERSE	JONES	PARKER	SKINNER	WINCH
CORMACK				

Mr. Alvord moved to reconsider the vote by which said Senate amendments were not concurred in, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to authorize the formation of town insurance companies," with a message that they had concurred in the passage of the same, with the following amendments:

Section 3, line 4, after the words "in the," insert the words "office of the Superintendent of the Insurance Department, and in the."

Section 5, line 2, strike out the word "undertaking," and insert the word "bond."

Section 6, line 23, strike out the word "adverse," and insert the word "unsuccessful."

Line 24, after the word "referee," insert the word "and."

Section 12, line 17, after the words "in the," insert the words "office of the Superintendent of the Insurance Department and the."

Strike out, in same section, all after the word "year," in line 19, down to and including the word "belong," in line 24.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 81.

NOES 6.

Those who voted in the affirmative, were

ABBOTT	DUELL	LANGNER	PATTENGILL	J. T. TAYLOR
BAKER	FISH	LOVELAND	CICERO C. PECK	TERRY
BEARD	FLOYD-JONES	MCDONOUGH	PEEK	THAIN
BERGEN	GALVIN	MEAD	PIPER	THOMSON
BERRIGAN	HALLIDAY	MEKEEL	POOL	TOWNSLEY
BERRY	HAMILTON	S. V. R. MILLER	PRESCOTT	VALENTINE
BOUCK	HAVENS	MOLLER	ROBERTS	WADSWORTH
BROOKS	I. I. HAYES	MOOERS	ROWLAND	WARING
BROWNING	HEPBURN	MEYENBORG	SAWYER	WEMPLE
BURNS	HOYT	NEILSON	SEARING	WHEELER
CLAPP	HULME	NELSON	SEWELL	WILBOR
CONVERSE	HURD	NIVEN	SHANLEY	WILLERS
CORMACK	JONES	NORTH	SHELDON	WILLIAMS
COSAD	KEEGAN	NOYES	STORY	WILLIS
CRANDALL	KERN	PALMER	SUTHERLAND	WINCH
DAY	KING	PARKER	E. TAYLOR	WORTH
DOUGLASS				

Those who voted in the negative, were

ALVORD	CHAPPELL	CHASE	REYNOLDS	SKINNER
BRUNDAGE				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act relating to the public place or square known as Washington park in the city of New York," with a message that they had concurred in the passage of the same, with the following amendment:

Section 2, line 3, after the word "south-east," strike out the words "and McDougall street, on the south-west."

Mr. Speaker put the question whether the house would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLBROOK	NORTH	STRACK
ALVORD	CRANDALL	HOYT	PALMER	E. TAYLOR
ANDREWS	DALY	HULME	PARKER	J. T. TAYLOR
BAKER	DAY	HURD	PEEK	TERRY
BATHE	DEYOE	JONES	PIPER	THAIN
BEARD	DUELL	KEEGAN	POOL	THOMSON
BERGEN	FISH	KELLOGG	PRESCOTT	VALENTINE
BERRY	FLOYD-JONES	KERN	ROBERTS	WAKELY
BOUCK	FOSTER	KING	ROWLAND	WEMPLE
BROOKS	FRANK	LANGNER	SAWYER	WHEELER
BRUNDAGE	GALVIN	MEKEEL	SEWELL	WILBOR
BURNS	GRIGGS	S. V. R. MILLER	SHEARD	WILLERS
CASE	HALLIDAY	MOOERS	SHELDON	WILLIAMS
CHAPPELL	HAMILTON	NEILSON	SKINNER	WILLIS
CLAPP	I. I. HAYES	NELSON	STORY	WINCH
CLARK	HEPBURN	NIVEN		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate returned the bill entitled "An act to exempt the county of Wayne from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, after the word "Wayne," insert the words "Delaware," Allegany, Oneida, Cayuga, Erie."

Amend the title by inserting, after the word "Wayne," the words "Delaware, Allegany, Oneida, Cayuga, and Erie."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOYT	NIVEN	STORY
ALVORD	DAY	HULME	NORTH	SUTHERLAND
BAKER	DEYOE	HURD	NOYES	E. TAYLOR
BATHE	DOUGLASS	JONES	PARKER	J. T. TAYLOR
BEARD	DUELL	KEATOR	PEEK	TERRY
BERGEN	FISH	KERN	PIPER	THOMSON
BERRIGAN	FITZGERALD	KING	POOL	TOWNSLEY
BERRY	FLOYD-JONES	LANGNER	PRESCOTT	VALENTINE
BOUCK	FOSTER	LOVELAND	ROBERTS	WAKELY
BROWNING	FRANK	MEAD	ROWLAND	WEMPLE
BRUNDAGE	GRIGGS	MEKEEL	SAWYER	WHEELER
CASE	HALLIDAY	S. V. R. MILLER	SEARING	WILBOR
CHAPPELL	HAMILTON	MOOERS	SEWELL	WILLIAMS
CLAPP	HAVENS	MEYENBORG	SHEARD	WILLIS
CLARK	I. I. HAYES	NEILSON	SHELDON	WINCH
CONVERSE	HOBBIE	NELSON	SKINNER	WORTH
COSAD	HOLBROOK			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

Mr. Alvord moved to reconsider the vote by which said Senate amendments were concurred in.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HEPBURN	MEYENBORG	SHEARD
ALVORD	CURRAN	HOLBROOK	NEILSON	SHELDON
ANDREWS	DAY	HOYT	NELSON	SKINNER
BAKER	DEYOE	HULME	NIVEN	STORY
BATHE	DUELL	HURD	NORTH	STRACK
BEARD	FISH	JONES	NOYES	SUTHERLAND
BERGEN	FITZGERALD	KEATOR	PARKER	E. TAYLOR
BERRY	FLOYD-JONES	KELLOGG	PEEK	TERRY
BOUCK	FLYNN	KERN	PIPER	THAIN
BROWNING	FRANK	KING	POOL	THOMSON
BRUNDAGE	GALVIN	LANGNER	PRESCOTT	VALENTINE
BURNS	GRIGGS	LOVELAND	ROBERTS	WAKELY
CASE	HALLIDAY	MEAD	ROWLAND	WHEELER
CHAPPELL	HAMILTON	MEKEEL	SAWYER	WILBOR
CLAPP	HAVENS	S. V. R. MILLER	SEARING	WILLIAMS
CLARK	I. I. HAYES	MOOERS	SEWELL	WILLIS

Mr. Alvord moved to non-concur in the Senate amendments to said bill, and that a conference committee be appointed on the part of the House, and request the appointment of a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Wakely, Valentine, Hepburn, Bouck, and Nelson.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in their amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Senate.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

“An act to amend chapter 783 of the Laws of 1871, entitled ‘An act relating to building bridges in the village of Niagara Falls,’ and the act amendatory thereof, being chapter 430 of the Laws of 1872.”

“An act to amend chapter 303 of the Laws of 1877, entitled ‘An act further to amend chapter 502 of the Laws of 1869, entitled An act to amend an act entitled An act to amend an act entitled An act to incorporate the village of Flushing,’ and the several acts amendatory thereof.”

“An act to authorize the common council of the city of Ogdensburgh to raise money for the purpose of finishing and furnishing additional school rooms for the common schools of said city.”

“An act to amend chapter 25 of the Laws of 1870, entitled ‘An act to incorporate the city of Rome,’ and the acts amendatory thereof.”

“An act to secure the payment of laborers, mechanics, merchants, traders and persons furnishing materials towards the performing of any public work in the cities of the State of New York.”

“An act to extend the term of the corporate existence of the Middletown and Wurtsboro Turnpike Company.”

Ordered, That the Clerk deliver said bills to the Governor.
The Senate returned the bill entitled as follows :

"An act in relation to payment of railroad fares on the Ogdensburgh and Lake Champlain railroad."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bills entitled as follows:

"An act to amend chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights and other property connected therewith.'"

"An act to authorize the postponement of the levy of a tax to pay bonds issued by the town of Vienna, in the county of Oneida, and the town of Constantia, in the county of Oswego, to facilitate the construction of the New York and Oswego Midland railroad, not yet matured."

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the bill entitled "An act to legalize the official acts and proceedings of Alanson King, Andrew Sheldon, and Harvey Wellman as commissioners of excise of the town of Perry, Wyoming county," with a message that they have concurred in the passage of the same, with the following amendment:

Section 1, line 6, strike out from the word "confirmed" down to and including the word "purposes," at the end of the section, and insert the words "made as legal and valid as they would have been had they executed the bond required by law."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HEPBURN	MOOERS	SHEARD
ANDREWS	DAY	HOBBIE	MEYENBORG	SHELDON
BAKER	DEYOE	HOLBROOK	NEILSON	SKINNER
BEARD	DOUGLASS	HOYT	NELSON	SLITER
BERGEN	DUELL	HULME	NIVEN	SUTHERLAND
BERRIGAN	FISH	JONES	NORTH	E. TAYLOR
BERRY	FITZGERALD	KEATOR	NOYES	THAIN
BOUCK	FLOYD-JONES	KEEGAN	PARKER	THOMSON
BROWNING	FOSTER	KERN	PIPER	TOWNSLEY
BRUNDAGE	GALVIN	KING	POOL	WADSWORTH
BURNS	GILBERT	LANGNER	PRESCOTT	WARING
CASE	GRAHAM	LOVELAND	REYNOLDS	WHEELER
CHAPPELL	GRIGGS	MCDONOUGH	ROBERTS	WILBOR
CLAPP	HALLIDAY	MEAD	ROWLAND	WILLIAMS
CLARK	HAMILTON	MEKEEL	SAWYER	WILLIS
CONVERSE	I. I. HAYES	S. V. R. MILLER	SEWELL	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate returned the bill entitled "An act to amend chapter 309 of the Laws of 1877, entitled 'An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs, and maintenance of the canals for the fiscal year commencing on the first day of October, 1877,'" with a message that they have concurred in the passage of the same, with the following amendments:

At the end of section 1, after the words "public works," insert the following:

"For dredging the canal basin, at and near the foot of the combined locks at Whitehall, the sum of ten thousand dollars, or so much thereof

as may be necessary to be expended under the direction of the Superintendent of Public Works.

“For the construction of an iron bridge over the Champlain canal at Ship street, in the city of Cohoes, the sum of three thousand and five hundred dollars, or so much thereof as may be necessary.”

Mr. Terry moved to non-concur in the Senate amendments made to said bill, and that a conference committee be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then appointed, as such committee, Messrs. Terry, Abbott, Sutherland, Converse, and Cosad.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon, and request a like committee on the part of the Senate.

Mr. Speaker presented a communication from the surrogate of the city of New York, in response to a resolution of the Assembly, adopted April 15, 1878, in reference to receivers, referees and appraisers, and allowances; which was laid upon the table and ordered printed.

(See Doc. No. 139.)

On motion of Mr. Alvord, and at 6½ o'clock, the House adjourned.

WEDNESDAY, MAY 8, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Darling.

The journal of yesterday was read and approved.

Mr. Alvord in the chair.

The Senate returned the bill entitled as follows:

“An act in relation to auctioneers.”

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Wakely introduced a bill entitled “An act to extend the time for the sale of the Genesee Valley canal, as provided in chapter 404 of the Laws of 1877, entitled ‘An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights and other property connected therewith,’” which was read the first time, and by unanimous consent was also read the second time and referred to the committee on canals.

Mr. Pool introduced a bill entitled “An act to authorize the county clerk of Cattaraugus county to make and to certify to copies of the surveys and maps of the Allegany reservation, as made by United States commissioners,” which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Pool, and by unanimous consent, said bill was ordered to a third reading.

Mr. Langner introduced a bill entitled “An act to authorize the city of Buffalo to borrow two thousand dollars to purchase land for reservoir for the Jubilee Water-works in said city,” which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Langner, and by unanimous consent, said bill was ordered to a third reading.

Mr. Baker introduced a bill entitled “An act to provide for the better laying out and improvement of certain portions of the city of New York,”

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Henry offered, for the consideration of the House, a resolution in the words following :

Resolved, That Senate bill No. 219, entitled "An act to authorize the county clerk of Kings county to arrange, assort, and repair all judgments, decrees, orders and other papers filed or deposited in Kings county clerk's office, and to record and certify mutilated or injured writings affecting the title to real estate in said county, and providing compensation for his services in that respect," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. Nelson, Int. No. 642, entitled "An act to authorize the building of sewers in villages that are not incorporated in this State," reported adversely thereto, which report was agreed to.

Mr. Graham, from the committee on general laws, to which was referred the bill introduced by Mr. D. W. C. Peck, Int. No. 557, entitled "An act to confer on boards of supervisors further powers of local legislation, and to regulate their term of office," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Shanley, Int. No. 954, entitled "An act to authorize the appointment of a clerk in the coroner's office in the county of Kings," reported in favor of the the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Bath, Int. No. 546, entitled "An act to repeal chapter 230 of the Laws of 1868, entitled 'An act to incorporate the New York City Underground Railroad Company,' " reported adversely thereto, which report was agreed to.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Thain, Int. No. 753, entitled "An act to amend chapter 117 of the Laws of 1872, entitled 'An act relating to the Erie Railway Company repealing chapter 916 of the Laws of 1869, so far as relates to the classification of directors of the Erie Railway Company, and the prolongation thereby of their terms of office, and vacating the offices of directors of said company, held thereunder, and ordering a new election for a full board of directors of said company, and providing regulations relating to the elections of directors of said company, and the transfer of its stock,' " reported adversely thereto, which report was agreed to.

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Browning, Int. No. 679, entitled "An act to amend chapter 514 of the Laws of 1860, entitled 'An act to authorize the construction of a railroad in Fourteenth street, and in other streets and avenues in the city of New York,' " reported adversely thereto, which report was agreed to.

Mr. Prescott, from the committee on railroads, to which was referred the memorial of the mayor, aldermen and commonalty of the city of New York praying for the licensing of street-car conductors in said city, reported adversely thereto, which report was agreed to.

Mr. Prescott, from the committee on railroads, presented a report, in writing, relative to the bill entitled "An act to amend chapter 606 of the Laws of 1875, entitled 'An act further to provide for the construction and operation of a steam railway or railways in counties of this State.'"

On motion of Mr. Thain, and by unanimous consent, said report was laid upon the table and ordered printed.

Mr. Hepburn, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Hughes, Int. No. 224, entitled "An act to further amend chapter 366 of the Laws of 1859, entitled 'An act to establish an insurance department,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on insurance, to which was referred the bill introduced by Mr. Langner, Int. No. 750, entitled "An act to prohibit the insurance of property against loss and damage by fire, except by companies incorporated for that purpose," reported adversely thereto, which report was agreed to.

Mr. Clapp, from the committee on banks, to which was referred the bill introduced by Mr. Thain, Int. No. 765, entitled "An act for the relief of the Loaner's Bank," reported adversely thereto.

On motion of Mr. Thain, said report was laid upon the table.

Mr. E. Taylor, from the committee on affairs of villages, to which was recommended the bill introduced by Mr. Brooks, Int. No. 864, entitled "An act to amend an act, passed May 19, 1875, entitled 'An act to amend an act entitled An act to incorporate the village of New Brighton,' passed April 20, 1867, and amended April 27, 1871, March 27, 1872 and May 14, 1873" (retaining its place in order of third reading), reported in favor of the passage of the same, and the title amended so as to read, "An act to amend chapter 819 of the Laws of 1866, entitled 'An act to incorporate the village of New Brighton, and to amend chapter 394 of the Laws of 1875, entitled An act to incorporate the village of New Brighton,' passed April 20, 1867, and amended April 27, 1871, March 27, 1872, and May 14, 1873," which report was agreed to, and said bill committed to the committee of the whole.

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Turner, Int. No. 211, entitled "An act further to amend chapter 564 of the Laws of 1872, entitled 'An act to amend the charter of the village of Carthage, Jefferson county,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Williams, from the committee on roads and bridges, to which was referred the Senate bill introduced by Mr. Wagner, Int. No. 229, entitled "An act to legalize the action of the annual town meeting of the town of Johnstown, in the county of Fulton, held on the 12th and 13th days of February, 1878, in raising money for roads and bridges, and authorizing the collection thereof," reported in favor of the passage of the same (Mr. Crowley dissenting), which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Peek, and by unanimous consent, said bill was ordered to a third reading.

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bergen, Int. No. 953, entitled "An act to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,'" reported in favor of the passage of the same, with

an amendment, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Moller, and by unanimous consent, said bill was referred to the sub-committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hicks, Int. No. 217, entitled "An act for the relief of George W. Spencer, late clerk of the county of Yates," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Clark, and by unanimous consent, said bill was ordered to a third reading.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. —, Int. No. 225, entitled "An act amending the Code of Civil Procedure," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Raines, Int. No. 144, entitled "An act to fix the compensation of justices of sessions in Monroe county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Willers, Int. No. 232, entitled "An act to provide for a Hall of Military Record, and the maintenance thereof," reported in favor of the passage of the amendments made to said bill in the Senate, in the words following:

"Strike out all after the enacting clause, and insert the following:

"SECTION 1. The New Capitol Commissioners are hereby required to set apart and suitably furnish sufficient apartments in the New Capitol, to be known and maintained as the Hall of Military Record.

"§ 2. The interest arising from the investment of the funds heretofore contributed by towns, cities, and individuals for the erection of such Hall of Military Record shall be hereafter devoted to the maintenance of such Hall of Military Record."

"Amend the title so as to read as follows:

"An act to provide for a Hall of Military Record, and the maintenance thereof."

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 68. NOES 36.

Those who voted in the affirmative, were

ALLEN	CHAPPELL	GILBERT	NIVEN	SUTHERLAND
ALVORD	CHASE	GRIGGS	PARKER	J. T. TAYLOR
ANDREWS	CLANCY	HALLIDAY	PATTERSON	THAIN
ASTOR	CLAPP	HAMILTON	PEEK	THOMSON
BAKER	CRANDALL	J. HAYES	PIPER	VALENTINE
BATHE	CRAWFORD	HENRY	POOL	WADSWORTH
BERGEN	CROWLEY	HOLBROOK	SAWYER	WAKELY
BERRY	DALY	KERN	SEEBACHER	WARING
BOUCK	DOUGLASS	LANGNER	SEWELL	WEMPLE
BROOKS	DUELL	MCDONOUGH	SHANLEY	WHEELER
BROWNING	FISH	MEAD	SKINNER	WILBOR
BRUNDAGE	FITZGERALD	J. H. MILLER	STORY	WILLIAMS
BURNS	FOSTER	MOLLER	STRACK	WORTH
CASE	GALVIN	MEYENBORG		

Those who voted in the negative, were

BEARD	HAVENS	KING	NORTH	SEARING
CLARK	HEPBURN	LOVELAND	PALMER	SHEARD
CONVERSE	HOBBIE	MAPES	DEWITT C. PECK	SHELDON
CORMACK	HOYT	MATTISON	PRESCOTT	TOWNSLEY
COSAD	JONES	MEKEEL	PROPER	WILLERS
CURRAN	KEATOR	S. V. R. MILLER	REYNOLDS	WILLIS
DEYOE	KELLOGG	NELSON	ROBERTS	WINCH
FLOYD-JONES				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, as amended.

The bill entitled "An act in relation to the assessment for the repavement of Atlantic avenue with granite pavement, in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CLANCY	GRIGGS	S. V. R. MILLER	SHEARD
ALLEN	CLAPP	HALLIDAY	MOLLER	SHELDON
ALVORD	CLARK	HAMILTON	MOOERS	SKINNER
ANDREWS	CONVERSE	HAVENS	NIVEN	STORY
ASTOR	CORMACK	I. I. HAYES	NORTH	STRACK
BAKER	COSAD	HOYT	PALMER	TERRY
BATHE	CRANDALL	HULME	PARKER	VALENTINE
BEARD	CROWLEY	JONES	PATTENGILL	WADSWORTH
BERGEN	CURRAN	KERN	PATTERSON	WAKELY
BERRY	DEYOE	KING	CICERO C. PECK	WARING
BOUCK	DUELL	LANGNER	DEWITT C. PECK	WEMPLE
BROOKS	FISH	LOVELAND	PRESCOTT	WHEELER
BROWNING	FITZGERALD	LOWING	REYNOLDS	WILBOR
BRUNDAGE	FLOYD-JONES	MATTISON	ROBERTS	WILLIAMS
BURNS	FLYNN	MEKEEL	ROWLAND	WILLIS
CASE	FOSTER	J. H. MILLER	SEARING	WINCH
CHAPPELL	GILBERT			

Those who voted in the negative, were

CRAWFORD	DOUGLASS	HENRY
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Fish introduced a bill entitled "An act relating to certain indebtedness of the city of New York, and to provide for the payment and cancellation of the same," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Fish, and by unanimous consent, said bill was ordered to a third reading, and ordered printed.

Mr. Brooks moved that said bill be made a special order for to-morrow morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

The bill entitled "An act to amend chapter 296 of the Laws of 1877, entitled 'An act to provide for the removal of eel-wiers and other devices for taking fish from the Delaware river and any of its tributaries, and to prevent the maintenance of such devices,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 90. NOES 00.

Those who voted in the affirmative, were

ALVORD	CRAWFORD	HOYT	NELSON	SKINNER
BAKER	CROWLEY	HULME	NIVEN	STORY
BATHE	DALY	JONES	NORTH	STRACK
BEARD	DAY	KEATOR	PARKER	E. TAYLOR
BERGEN	DEYOE	KELLOGG	PATTENGILL	TERRY
BERRIGAN	DUELL	KERN	CICERO C. PECK	THAIN
BERRY	FISH	KING	DEWITT C. PECK	THOMSON
BOUCK	FITZGERALD	LANGNER	PEEK	TOWNSLEY
BROOKS	FLOYD-JONES	LOVELAND	PIPER	VALENTINE
BRUNDAGE	FLYNN	MATTISON	POOL	WADSWORTH
BURNS	GALVIN	MEAD	PRESCOTT	WAKELY
CASE	GILBERT	MEKEEL	REYNOLDS	WARING
CHAPPELL	GRIGGS	J. H. MILLER	ROBERTS	WHEELER
CHASE	HALLIDAY	S. V. R. MILLER	ROWLAND	WILBOR
CLAPP	HAMILTON	MOLLER	SAWYER	WILLERS
CLARK	HAVENS	MOOERS	SEWELL	WILLIS
CONVERSE	I. I. HAYES	MEYENBORG	SHEARD	WINCH
CORMACK	HEPBURN	NEILSON	SHELDON	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation fo certain moneys paid to the excise commissioners of the city of New York during the year 1877," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 89. NOES 3.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HENRY	NIVEN	SHELDON
ALLEN	COSAD	HOBBIE	NORTH	SKINNER
ALVORD	CRANDALL	HOYT	NOYES	SLITER
ANDREWS	CRAWFORD	JONES	PALMER	STORY
ASTOR	CROWLEY	KEATOR	PARKER	E. TAYLOR
BERGEN	DALY	KELLOGG	PATTENGILL	TERRY
BOUCK	DEYOE	KERN	PATTERSON	TOWNSLEY
BROOKS	DOUGLASS	KING	CICERO C. PECK	VALENTINE
BROWNING	DUELL	LANGNER	PEEK	WARING
BRUNDAGE	FISH	LOVELAND	PIPER	WEMPLE
BURNS	FITZGERALD	LOWING	POOL	WHEELER
CASE	FLOYD-JONES	MEAD	REYNOLDS	WILBOR
CHAPPELL	FLYNN	MEKEEL	ROBERTS	WILLERS
CHASE	FOSTER	S. V. R. MILLER	ROWLAND	WILLIAMS
CLANCY	HALLIDAY	MOLLER	SAWYER	WILLIS
CLAPP	HAMILTON	MOOERS	SEEBACHER	WINCH
CLARK	HAVENS	MEYENBORG	SEWELL	WORTH
CONVERSE	I. I. HAYES	NELSON	SHANLEY	

Those who voted in the negative, were

BEARD DEWITT C. PECK PRESCOTT

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to define the jurisdiction of the Canal Board and the Board of Canal Appraisers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	KELLOGG	PARKER	SKINNER
ALLEN	DEYOE	KERN	CICERO C. PECK	SLITER
ASTOR	DUELL	KING	DEWITT C. PECK	E. TAYLOR
BAKER	FISH	LANGNER	PEEK	J. T. TAYLOR
BEARD	FITZGERALD	LOVELAND	PIPER	TERRY
BERGEN	FLOYD-JONES	LOWING	POOL	THAIN
BERRIGAN	FOSTER	MATTISON	PRESCOTT	THOMSON
BOUCK	FRANK	MEKEEL	REYNOLDS	TOWNSLEY
BROOKS	GALVIN	J. H. MILLER	ROBERTS	VALENTINE
BRUNDAGE	GRIGGS	S. V. R. MILLER	ROWLAND	WAKELY
BURNS	HALLIDAY	MOLLER	SAWYER	WEMPLE
CASE	HAMILTON	MOOERS	SEARING	WHEELER
CHASE	HAVENS	NEILSON	SEEBACHER	WILBOR
CLANCY	I. I. HAYES	NELSON	SEWELL	WILLIAMS
CONVERSE	HOBBIE	NIVEN	SHANLEY	WILLIS
CRANDALL	HOYT	NORTH	SHEARD	WINCH
CRAWFORD	JONES	PALMER	SHELDON	WORTH
CROWLEY	KEATOR			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 430 of the Laws of 1874, entitled 'An act to facilitate the reorganization of railroads sold under mortgage, and providing for the formation of new companies in such cases,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 78. NOES 2.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HOBBIE	PALMER	SKINNER
ALLEN	CONVERSE	HOYT	PARKER	SLITER
ALVORD	CORMACK	JONES	PATTENGILL	STORY
ANDREWS	CRANDALL	KEATOR	PEEK	SUTHERLAND
ASTOR	CURRAN	KING	PIPER	E. TAYLOR
BAKER	DALY	LANGNER	POOL	J. T. TAYLOR
BATHE	DAY	LOVELAND	PRESCOTT	THOMSON
BEARD	DEYOE	MEKEEL	REYNOLDS	VALENTINE
BERGEN	FITZGERALD	J. H. MILLER	ROBERTS	WARING
BROOKS	FLOYD-JONES	S. V. R. MILLER	ROWLAND	WEMPLE
BROWNING	FLYNN	MOLLER	SAWYER	WHEELER
BRUNDAGE	FOSTER	MOOERS	SEEBACHER	WILBOR
BURNS	HALLIDAY	MEYENBORG	SHANLEY	WILLIAMS
CASE	HAVENS	NELSON	SHEARD	WILLIS
CHAPPELL	I. I. HAYES	NIVEN	SHELDON	WORTH
CLANCY	HEPBURN	NORTH		

Those who voted in the negative, were

COSAD FISH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Bergen moved to substitute Senate bill entitled "An act for the preservation of fish, and to prevent the deposit of carrion or any deleterious substances on any fishing grounds, or in any rivers, creeks or waters within or adjacent to the county of Kings," for Assembly bill No. 525 on the same subject, and now on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill entitled "An act to facilitate the collection of certain unpaid taxes in the town of Newtown, in the county of Queens," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 86.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	DAY	JONES	NORTH	SKINNER
ALLEN	DEYOE	KEATOR	NOYES	SLITER
BAKER	DUELL	KELLOGG	PALMER	STRACK
BEARD	FISH	KERN	PARKER	SUTHERLAND
BERGEN	FITZGERALD	KING	PATTERSON	E. TAYLOR
BROOKS	FLOYD-JONES	LANGNER	DEWITT C. PECK	J. T. TAYLOR
BROWNING	FOSTER	LOVELAND	PEEK	TERRY
BRUNDAGE	GILBERT	LOWING	PIPER	THAIN
BURNS	GRIGGS	MATTISON	POOL	THOMSON
CASE	HALLIDAY	MEKEEL	PRESCOTT	TOWNSLEY
CHASE	HAMILTON	J. H. MILLER	ROBERTS	VALENTINE
CLAPP	HAVENS	S. V. R. MILLER	SAWYER	WARING
CLARK	I. I. HAYES	MOLLER	SEARING	WEMPLE
CONVERSE	HOBBIE	MOOERS	SEEBACHER	WILBOR
CORMACK	HOLBROOK	MEYENBORG	SHANLEY	WILLERS
CRANDALL	HOYT	NELSON	SHEARD	WILLIS
CURRAN	HULME	NIVEN	SHELDON	WINCH
DALY				

For the negative,

KEEGAN

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to prevent the avoiding or passing the gate of the Halfmoon Bridge Company without payment of toll," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 67.

NOES 9.

Those who voted in the affirmative, were

ABBOTT	CHAPPELL	HEPBURN	NORTH	J. T. TAYLOR
ALLEN	CHASE	HOBBIE	PATTENGILL	TERRY
ALVORD	CLAPP	HOLBROOK	PIPER	THAIN
ANDREWS	CONVERSE	HOYT	REYNOLDS	THOMSON
ASTOR	CORMACK	JONES	ROBERTS	TOWNSLEY
BAKER	CROWLEY	KING	SAWYER	VALENTINE
BATHE	DEYOE	MATTISON	SEARING	WAKELY
BERGEN	DUELL	MCDONOUGH	SEWELL	WARING
BERRIGAN	FISH	MEKEEL	SHEARD	WEMPLE
BOUCK	FLOYD-JONES	J. H. MILLER	SKINNER	WILBOR
BROOKS	FOSTER	NEILSON	STORY	WILLERS
BROWNING	HALLIDAY	NELSON	SUTHERLAND	WILLIAMS
BURNS	HAMILTON	NIVEN	E. TAYLOR	WILLIS
CASE	I. I. HAYES			

Those who voted in the negative, were

CURRAN	KEATOR	S. V. R. MILLER	DEWITT C. PECK	STRACK
HAVENS	KELLOGG	PALMER	POOL	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Thain offered, for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 509, entitled "An act defining and limiting the duties of certain officials," be recommitted to the committee on general laws.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the negative.

The bill entitled "An act to amend chapter 75 of the Laws of 1878 entitled 'An act in relation to the bonded indebtedness of villages, cities, towns, and counties,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HEPBURN	NELSON	STRACK
ALLEN	CORMACK	HOLBROOK	NIVEN	SUTHERLAND
ALVORD	CRANDALL	HOYT	NORTH	E. TAYLOR
ANDREWS	CROWLEY	JONES	PALMER	J. T. TAYLOR
ASTOR	CURRAN	KEATOR	PATTENGILL	TERRY
BAKER	DALY	KELLOGG	DEWITT C. PECK	THOMSON
BATHE	DAY	KING	PIPER	VALENTINE
BERGEN	DUELL	LANGNER	PRESCOTT	WADSWORTH
BERRY	FISH	LOVELAND	REYNOLDS	WAKELY
BROOKS	FITZGERALD	LOWING	ROBERTS	WARING
BRUNDAGE	FLOYD-JONES	MCDONOUGH	SAWYER	WEMPLE
BURNS	FLYNN	MEAD	SEARING	WHEELER
CASE	FOSTER	MEKEEL	SHEARD	WILBOR
CHAPPELL	HALLIDAY	J. H. MILLER	SHELDON	WILLIAMS
CHASE	HAMILTON	S. V. R. MILLER	SKINNER	WILLIS
CLANCY	HAVENS	MOLLER	SLITER	WINCH
CLAPP	I. I. HAYES	MOORS		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Sawyer offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee of the whole be discharged from the consideration of Assembly bill No. 377, G. O. 422, entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" and that the same do now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof:

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 53.

NOES 43.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HAMILTON	MOOERS	SHELDON
ALLEN	CLARK	I. I. HAYES	NEILSON	SKINNER
ALVORD	CONVERSE	HOLBROOK	NORTH	SUTHERLAND
ANDREWS	CORMACK	HOYT	PALMER	TERRY
ASTOR	CRANDALL	HULME	CICERO C. PECK	VALENTINE
BAKER	DEYOE	KEATOR	DEWITT C. PECK	WADSWORTH
BERGEN	DOUGLASS	KELLOGG	PEEK	WARING
BERRY	DUELL	LOWING	REYNOLDS	WILBOR
BRUNDAGE	FISH	MEKEEL	SAWYER	WILLIAMS
CASE	FLYNN	J. H. MILLER	SHEARD	WILLIS
CHAPPELL	GILBERT	S. V. R. MILLER		

Those who voted in the negative, were

BATHE	CURRAN	KEEGAN	PIPER	E. TAYLOR
BEARD	DALY	LOVELAND	POOL	THAIN
BERRIGAN	DAY	MAPES	PRESCOTT	THOMSON
BROOKS	FITZGERALD	MATTISON	PROPER	TOWNSLEY
BROWNING	FLOYD-JONES	MCDONOUGH	ROBERTS	WAKELY
BURNS	HAVENS	MOLLER	ROWLAND	WEMPLE
CLANCY	HEPBURN	MEYENBORG	SEARING	WILLERS
COSAD	HOBBIE	NELSON	SEEBACHER	WINCH
CROWLEY	JONES	NIVEN		

Mr. Sawyer moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CONVERSE	HOBBIE	MEYENBORG	SUTHERLAND
ALVORD	CORMACK	HOLBROOK	NELSON	E. TAYLOR
ANDREWS	COSAD	HOYT	NIVEN	TERRY
ASTOR	CRANDALL	HULME	PALMER	THAIN
BAKER	CRAWFORD	HURD	PATTENGILL	THOMSON
BATHE	CROWLEY	JONES	DEWITT C. PECK	TOWNSLEY
BEARD	CURRAN	KEATOR	PEEK	VALENTINE
BERGEN	DAY	KELLOGG	POOL	WADSWORTH
BERRY	DEYOE	KING	PRESCOTT	WAKELY
BOUCK	FISH	LANGNER	SAWYER	WARING
BROOKS	FITZGERALD	LOVELAND	SEARING	WEMPLE
BROWNING	FLOYD-JONES	LOWING	SEEBACHER	WILBOR
BRUNDAGE	FLYNN	MATTISON	SEWELL	WILLERS
CASE	HAMILTON	MCDONOUGH	SHEARD	WILLIAMS
CHAPPELL	HAVENS	J. H. MILLER	SHELDON	WILLIS
CHASE	I. I. HAYES	MOOERS	SKINNER	WINCH
CLAPP				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 224 of the Laws of 1874, entitled 'An act to repeal chapter 440 of the Laws of 1873, entitled An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes, so far as the same relates to the counties of Clin-

ton, Chenango, Seneca, Queens, Orange, Essex, Cayuga, Madison, and Steuben," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 2.

Those who voted in the affirmative, were

ALLEN	CROWLEY	JONES	NELSON	SHANLEY
ALVORD	DALY	KEATOR	NIVEN	SHEARD
ASTOR	DAY	KELLOGG	NORTH	SHELDON
BAKER	DUELL	KERN	NOYES	SKINNER
BERRIGAN	FISH	KING	PALMER	SUTHERLAND
BERRY	FLOYD-JONES	LANGNER	PARKER	J. T. TAYLOR
BROWNING	FLYNN	LOWING	DEWITT C. PECK	TERRY
BRUNDAGE	FOSTER	MAPES	PEEK	THAIN
BURNS	GRIGGS	MATTISON	PIPER	THOMSON
CASE	HALLIDAY	MEAD	POOL	VALENTINE
CHAPPELL	HAMILTON	MEKEEL	PRESCOTT	WARING
CHASE	HAVENS	J. H. MILLER	ROBERTS	WILLERS
CLANCY	I. I. HAYES	S. V. R. MILLER	ROWLAND	WILLIAMS
CONVERSE	HEPBURN	MOOERS	SAWYER	WILLIS
COSAD	HOBBIE	MEYENBORG	SEEBACHER	WINCH
CRANDALL	HOLBROOK	NEILSON	SEWELL	

Those who voted in the negative, were

CURRAN WAKELY

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. I. I. Hayes gave notice that he would move a call of the House at half-past four this afternoon.

The bill entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,' so far as the same relates to the county of Orange," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	I. I. HAYES	J. H. MILLER	SEEBACHER
ALLEN	CLARK	HENRY	S. V. R. MILLER	SHEARD
ALVORD	CORMACK	HEPBURN	MOLLER	SHELDON
ANDREWS	CRAWFORD	HOBBIE	MOOERS	SKINNER
ASTOR	CURRAN	HOLBROOK	NIVEN	STORY
BAKER	DAY	HULME	NORTH	STRACK
BATHE	DEYOE	JONES	NOYES	SUTHERLAND
BEARD	DUELL	KEATOR	PALMER	TERRY
BERGEN	FISH	KELLOGG	PATTENGILL	THAIN
BERRIGAN	FITZGERALD	KING	PEEK	TOWNSLEY
BERRY	FLOYD-JONES	LANGNER	POOL	VALENTINE
BROOKS	GALVIN	LOVELAND	PRESCOTT	WADSWORTH
BROWNING	GRADY	LOWING	PROFER	WEMPLE
BRUNDAGE	GRIGGS	MAPES	ROBERTS	WILBOR
CASE	HALLIDAY	MEAD	SAWYER	WILLERS
CHAPPELL	HAMILTON	MEKEEL	SEARING	WILLIS
CLANCY				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Leave of absence was granted to Mr. Niven for this afternoon session.

The Senate bill entitled "An act to amend chapter 424 of the Laws of 1877, entitled 'An act in relation to the appointment of a State agent for the guidance and employment of discharged convicts,'" having been announced for a third reading,

On motion of Mr. Mooers, and by unanimous consent, said bill was amended as follows:

Add, to the end of section 4, the following:

"And it is further provided that the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the purpose of this act from any moneys in the treasury not otherwise appropriated."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 86.

NOES 9.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOYT	NEILSON	SHELDON
ALVORD	CRAWFORD	HULME	NELSON	SKINNER
ANDREWS	CURRAN	HURD	NIVEN	STRACK
ASTOR	DALY	JONES	NORTH	SUTHERLAND
BAKER	DAY	KEEGAN	PARKER	E. TAYLOR
BATHE	DEYOE	KELLOGG	CICERO C. PECK	TERRY
BERGEN	DUELL	KING	DEWITT C. PECK	THAIN
BERRIGAN	FLOYD-JONES	MAPES	PEEK	TOWNSLEY
BERRY	FRANK	MATTISON	PIPER	VALENTINE
BOUCK	GALVIN	MCDONOUGH	POOL	WADSWORTH
BROOKS	GRADY	MEAD	PRESCOTT	WAKELY
BROWNING	HALLIDAY	MEKEEL	ROBERTS	WARING
BRUNDAGE	HAMILTON	J. H. MILLER	ROWLAND	WEMPLE
BURNS	I. I. HAYES	S. V. R. MILLER	SAWYER	WHEELER
CHAPPELL	HENRY	MOLLER	SEARING	WILBOR
CLAPP	HEPBURN	MOOERS	SEEBACHER	WILLERS
CONVERSE	HOBBIE	MEYENBORG	SHEARD	WINCH
CORMACK				

Those who voted in the negative, were

ALLEN	CLANCY	COSAD	HOLBROOK	THOMSON
BEARD	CLARK	FISH	PATTENGILL	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 283 of the Laws of 1871, entitled 'An act to amend an act entitled An act to amend chapter 907 of the Laws of 1869, entitled An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 75.

NOES 5.

Those who voted in the affirmative, were

ALLEN	CRANDALL	JONES	NOYES	SHELDON
ANDREWS	CURRAN	KELLOGG	PARKER	SKINNER
ASTOR	DOUGLASS	KING	PATTENGILL	STRACK
BERGEN	DUELL	LANGNER	CICERO C. PECK	E. TAYLOR
BERRY	FISH	LOWING	DEWITT C. PECK	J. T. TAYLOR
BRUNDAGE	FITZGERALD	MAPES	PIPER	TERRY
BURNS	FLOYD-JONES	MATTISON	PRESCOTT	THAIN
CASE	GALVIN	MCDONOUGH	PROPER	TOWNSLEY
CHAPPELL	GRIGGS	MEAD	REYNOLDS	WADSWORTH
CHASE	HALLIDAY	J. H. MILLER	ROBERTS	WAKELY
CLANCY	HAMILTON	MEYENBORG	ROWLAND	WHEELER
CLAPP	I. I. HAYES	NEILSON	SEARING	WILBOR
CLARK	HOBBIE	NELSON	SEEBACHER	WILLIS
CONVERSE	HOYT	NIVEN	SEWELL	WINCH
COSAD	HULME	NORTH	SHEARD	WORTH

Those who voted in the negative, were

ALVORD	BEARD	HOLBROOK	S. V. R. MILLER WILLIAMS
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to actions of partition," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 72.

NOES 00.

Those who voted in the affirmative, were

ALVORD	DOUGLASS	LANGNER	DEWITT C. PECK	THAIN
ANDREWS	DUELL	LOVELAND	PIPER	THOMSON
ASTOR	FISH	MAPES	PRESCOTT	TOWNSLEY
BERGEN	FLOYD-JONES	MCDONOUGH	ROBERTS	VALENTINE
BERRIGAN	FLYNN	MEKEEL	SAWYER	WADSWORTH
BERRY	GALVIN	J. H. MILLER	SEEBACHER	WAKELY
CASE	GRADY	S. V. R. MILLER	SEWELL	WARING
CHAPPELL	HALLIDAY	NEILSON	SHEARD	WHEELER
CLAPP	I. I. HAYES	NELSON	SHELDON	WILBOR
CLARK	HOBBIE	NIVEN	SKINNER	WILLERS
CONVERSE	HOLBROOK	PALMER	STRACK	WILLIAMS
CORMACK	JONES	PARKER	SUTHERLAND	WILLIS
COSAD	KEEGAN	PATTENGILL	E. TAYLOR	WINCH
CURRAN	KELLOGG	CICERO C. PECK	TERRY	WORTH
DAY	KING			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the better security of life from fire in hotels and other buildings," having been announced for a third reading,

Mr. Prescott moved that said bill be recommitted to the committee on internal affairs, with instructions to amend the same as follows :

Line 7, section 1, engrossed bill, strike out the word "boards," and insert in lieu thereof the word "council," and report forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 32.

NOES 15.

Those who voted in the affirmative, were

BATHE	GALVIN	LOVELAND	PRESCOTT	E. TAYLOR
BERGEN	GRAHAM	MAPES	ROBERTS	TERRY
CHAPPELL	GRIGGS	J. H. MILLER	SAWYER	WADSWORTH
DUELL	I. I. HAYES	NELSON	SHELDON	WAKELY
FISH	HOBBIE	NIVEN	STRACK	WEMPLE
FITZGERALD	JONES	NORTH	SUTHERLAND	WILBOR
FLOYD-JONES	KING			

Those who voted in the negative, were

ALLEN	CASE	CURRAN	KELLOGG	CICERO C. PECK
ALVORD	CHASE	DEYOE	MEKEEL	DEWITT C. PECK
BROOKS	COSAD	HOLBROOK	PATTENGILL	SKINNER

Mr. Burns moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

The Senate bill entitled "An act to provide for the support, treatment, and care of pauper, destitute, and delinquent children," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOLBROOK	NIVEN	SHEARD
ALVORD	DAY	HOYT	NORTH	SHELDON
ANDREWS	DEYOE	JONES	PATTENGILL	SKINNER
ASTOR	DOUGLASS	KEEGAN	PATTERSON	STRACK
BAKER	DUELL	KING	CICERO C. PECK	SUTHERLAND
BERGEN	FISH	LANGNER	DEWITT C. PECK	E. TAYLOR
BOUCK	FLOYD-JONES	LOVELAND	PEEK	TERRY
BROOKS	FLYNN	LOWING	PIPER	THAIN
BRUNDAGE	GALVIN	MAPES	POOL	THOMSON
BURNS	GRADY	MCDONOUGH	PRESCOTT	WADSWORTH
CASE	GRAHAM	MEAD	REYNOLDS	WARING
CHAPPELL	HAMILTON	J. H. MILLER	SAWYER	WEMPLE
CHASE	HAVENS	MOOERS	SEARING	WILBOR
CLANCY	I. I. HAYES	MEYENBORG	SEEBACHER	WILLIAMS
CONVERSE	HENRY	NEILSON	SEWELL	WILLIS
CORMACK	HOLAHAN	NELSON	SHANLEY	WORTH
CROWLEY				

Those who voted in the negative, were

ALLEN	KELLOGG	MATTISON
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to facilitate the completion of the Syracuse, Phoenix and Oswego railroad," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CLARK	HOBBIE	NIVEN	SLITER
ALLEN	CONVERSE	HOLAHAN	NORTH	SUTHERLAND
ALVORD	CORMACK	HOLBROOK	PALMER	E. TAYLOR
ANDREWS	CROWLEY	HOYT	PATTENGILL	J. T. TAYLOR
ASTOR	CURRAN	HULME	CICERO C. PECK	TERRY
BAKER	DAY	KELLOGG	DEWITT C. PECK	THAIN
BATHE	DEYOE	KERN	PIPER	THOMSON
BERGEN	DOUGLASS	KING	PRESCOTT	TOWNSLEY
BERRIGAN	DUELL	LANGNER	REYNOLDS	WADSWORTH
BOUCK	FISH	LOVELAND	SAWYER	WAKELY
BROOKS	FITZGERALD	LOWING	SEARING	WARING
BROWNING	FLOYD-JONES	MAPES	SEEBACHER	WEMPLE
BRUNDAGE	GRADY	J. H. MILLER	SEWELL	WILBOR
BURNS	GRAHAM	MOLLER	SHEARD	WILLIAMS
CASE	HAMILTON	MOOERS	SHELDON	WILLIS
CHAPPELL	HAVENS	NELSON	SKINNER	WINCH
CHASE	I. I. HAYES			

For the negative,

MATTISON

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 371 of the Laws of 1877, entitled 'An act to provide for the introduction of an improved system of steam towage upon the canals of the State,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 70.

NOES 18.

Those who voted in the affirmative, were

ABBOTT	CLANCY	FLYNN	HOLBROOK	SEEBACHER
ALLEN	CLARK	FOSTER	HOYT	SEWELL
ALVORD	CONVERSE	FRANK	JONES	SHANLEY
ANDREWS	CORMACK	GALVIN	KELLOGG	SHEARD
ASTOR	CRAWFORD	GILBERT	KING	SHELDON
BAKER	CROWLEY	GRADY	MOLLER	SLITER
BATHE	CURRAN	GRAHAM	MEYENBORG	J. T. TAYLOR
BERGEN	DALY	HAMILTON	NELSON	THAIN
BERRIGAN	DAY	I. I. HAYES	NIVEN	WADSWORTH
BROOKS	DEYOE	J. HAYES	PATTERSON	WAKELY
BROWNING	DOUGLASS	HENRY	CICERO C. PECK	WARING
BURNS	DUELL	HEPBURN	PIPER	WILBOR
CASE	FITZGERALD	HOBBIE	SAWYER	WILLIS
CHASE	FLOYD-JONES	HOLAHAN	SEARING	WORTH

Those who voted in the negative, were

COSAD	MATTISON	DEWITT C. PECK	SKINNER	E. TAYLOR
FISH	NEILSON	PRESCOTT	STRACK	THOMSON
HAVENS	PALMER	PROPER	SUTHERLAND	WEMPLE
KREGAN	PATTENGILL	REYNOLDS		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to regulate the quality, supply, and price of illuminating gas, and for the protection of manufacturers and consumers thereof," having been announced for a third reading,

Mr. Hepburn moved that said bill be recommitted to the committee on trade and manufactures, with instructions to strike out the words "city of Ogdensburgh," and report forthwith.

Mr. Graham moved that said bill be recommitted to the committee on trade and manufactures, with instructions to amend the same by striking out the words "city of Newburgh," and report forthwith.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Graham, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hepburn, and it was determined in the affirmative.

Mr. Sheard, from the committee on trade and manufactures, reported back said bill amended as instructed.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 87.

NOES 14.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HAVENS	MEYENBORG	SHEARD
ALLEN	CURRAN	I. I. HAYES	NELSON	SHELDON
ASTOR	DALY	HENRY	NIVEN	SKINNER
BAKER	DAY	HEPBURN	NORTH	SLITER
BATHE	DOUGLASS	HOBBIE	PARKER	STRACK
BEARD	DUELL	HOLAHAN	PATTERSON	SUTHERLAND
BERGEN	FISH	HOYT	CICERO C. PECK	E. TAYLOR
BERRIGAN	FITZGERALD	KELLOGG	PEEK	TERRY
BERRY	FLOYD-JONES	KERN	PIPER	THAIN
BOUCK	FLYNN	KING	POOL	TOWNSLEY
BROOKS	FOSTER	LANGNER	PROPER	VALENTINE
BROWNING	FRANK	LOWING	REYNOLDS	WADSWORTH
BURNS	GALVIN	MAPES	ROBERTS	WARING
CHAPPELL	GILBERT	MCDONOUGH	SEARING	WEMPLE
CLANCY	GRADY	J. H. MILLER	SEEBACHER	WILBOR
CONVERSE	GRAHAM	MOLLER	SEWELL	WILLERS
CORMACK	GRIGGS	MOOERS	SHANLEY	WORTH
CRAWFORD	HAMILTON			

Those who voted in the negative, were

CASE	HALLIDAY	KEATOR	PALMER	THOMSON
COSAD	HOLBROOK	KEEGAN	DEWITT C. PECK	WILLIAMS
DEYOE	JONES	MATTISON	PRESCOTT	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to transfer the care and control of Bedford avenue, in the city of Brooklyn, to the park commissioners of said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 88.

NOES 1.

Those who voted in the affirmative, were

ALVORD	DEYOE	HULME	PARKER	SKINNER
ANDREWS	DUELL	JONES	PATTENGILL	SLITER
ASTOR	FISH	KEEGAN	CICERO C. PECK	STRACK
BAKER	FLOYD-JONES	KELLOGG	DEWITT C. PECK	E. TAYLOR
BATHE	FOSTER	KERN	PEEK	J. T. TAYLOR
BEARD	GALVIN	KING	PIPER	TERRY
BERGEN	GRADY	LANGNER	POOL	THAIN
BERRY	GRAHAM	LOVELAND	PRESCOTT	THOMSON
BOUCK	GRIGGS	MATTISON	REYNOLDS	VALENTINE
BROOKS	HALLIDAY	MEAD	ROBERTS	WADSWORTH
BURNS	HAMILTON	MEKEEL	ROWLAND	WEMPLE
CASE	HAVENS	MOLLER	SAWYER	WILBOR
CHAPPELL	I. I. HAYES	MOOERS	SEARING	WILLERS
CLARK	HENRY	NEILSON	SEEBACHER	WILLIAMS
CROWLEY	HEPBURN	NELSON	SEWELL	WILLIS
CURRAN	HOBBIE	NIVEN	SHEARD	WINCH
DALY	HOLAHAN	NORTH	SHELDON	WORTH
DAY	HOYT	PALMER		

For the negative,

MEYENBORG

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Parker introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

The bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the counties of Greene and Delaware to Julia E. Stewart," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HEPBURN	NIVEN	SLITER
ALVORD	CROWLEY	HOBBIE	PALMER	STRACK
ANDREWS	CURRAN	HOLAHAN	PARKER	SUTHERLAND
ASTOR	DALY	HOLBROOK	PATTENGILL	E. TAYLOR
BAKER	DAY	HOYT	CICERO C. PECK	TERRY
BATHE	DOUGLASS	HULME	DEWITT C. PECK	THAIN
BEARD	DUELL	JONES	PEEK	THOMSON
BERGEN	FISH	KERN	PIPER	TOWNSLEY
BERRY	FITZGERALD	KING	POOL	VALENTINE
BOUCK	FLOYD-JONES	LANGNER	PRESCOTT	WAKELY
BROOKS	FLYNN	LOVELAND	REYNOLDS	WARING
BROWNING	GALVIN	LOWING	ROBERTS	WEMPLE
BRUNDAGE	GRADY	MATTISON	ROWLAND	WILBOR
BURNS	GRIGGS	MOLLER	SEARING	WILLIAMS
CASE	HALLIDAY	MOOERS	SHANLEY	WILLIS
CHASE	HAVENS	MEYENBORG	SHEARD	WINCH
CLARK	I. I. HAYES	NEILSON	SKINNER	WORTH
CONVERSE	HENRY	NELSON		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to establish a bureau of labor statistics," having been announced for a third reading,

Mr. Mapes moved that Assembly bill No. 522 be recommitted to the committee on ways and means, with instructions to report back, as a substitute, Assembly bill No. 125, now on our files, and the same to retain its place on the order of third reading of bills.

Debate arising thereon,

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Mapes called for the ayes and noes on said motion.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, as follows:

AYES 47. NOES 51.

Those who voted in the affirmative, were

ALLEN	CORMACK	GRADY	LOWING	SEARING
ANDREWS	CURRAN	HAMILTON	MAPES	SEEBACHER
BATHE	DALY	I. I. HAYES	MATTISON	STRACK
BEARD	DAY	HOBBIE	MCDONOUGH	SUTHERLAND
BERGEN	DOUGLASS	HOLAHAN	J. H. MILLER	THAIN
BERRY	DUELL	KEEGAN	MEYENBORG	TOWNSLEY
BROWNING	FITZGERALD	KELLOGG	NEILSON	WEMPLE
CHAPPELL	FLYNN	LANGNER	NELSON	WILLIAMS
CLANCY	FOSTER	LOVELAND	POOL	SPEAKER
CONVERSE	GALVIN			

Those who voted in the negative, were

ALVORD	CRANDALL	MOOERS	REYNOLDS	TERRY
ASTOR	DEYOE	NIVEN	ROBERTS	THOMSON
BAKER	FISH	NORTH	ROWLAND	VALENTINE
BOUCK	FLOYD-JONES	PALMER	SAWYER	WADSWORTH
BROOKS	GRIGGS	PATTENGILL	SEWELL	WAKELY
BRUNDAGE	HAVENS	PATTERSON	SHEARD	WARING
CASE	HOLBROOK	CICERO C. PECK	SHELDON	WILBOR
CHASE	HOYT	DEWITT C. PECK	SKINNER	WILLIS
CLAPP	HULME	PEEK	STORY	WINCH
CLARK	JONES	PRESCOTT	E. TAYLOR	WORTH
COSAD				

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 63. NOES 20.

Those who voted in the affirmative, were

ALLEN	CLAPP	HALLIDAY	NIVEN	SHELDON
ALVORD	CLARK	HAVENS	NORTH	SKINNER
ASTOR	CORMACK	HOYT	PATTENGILL	STRACK
BAKER	CRANDALL	HULME	DEWITT C. PECK	SUTHERLAND
BATHE	CRAWFORD	JONES	PEEK	TERRY
BERGEN	DALY	KEEGAN	POOL	THOMSON
BERRY	DAY	KERN	REYNOLDS	TOWNSLEY
BROOKS	FISH	LANGNER	ROBERTS	WAKELY
BROWNING	FLOYD-JONES	LOWING	ROWLAND	WARING
BRUNDAGE	FLYNN	MATTISON	SAWYER	WILBOR
CASE	GRADY	MCDONOUGH	SEWELL	WILLIAMS
CHASE	GRAHAM	J. H. MILLER	SHEARD	WILLIS
CLANCY	GRIGGS	MOOERS		

Those who voted in the negative, were

ANDREWS	CONVERSE	HOBBIE	NELSON	THAIN
BEARD	FOSTER	HOLBROOK	PRESCOTT	VALENTINE
BOUCK	GALVIN	MAPES	PROPER	WADSWORTH
CHAPPELL	HAMILTON	MEYENBORG	E. TAYLOR	WINCH

The bill entitled "An act to amend chapter 250 of the Laws of 1849, entitled 'An act in relation to plank and turnpike roads,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 76.

NOES 9.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HALLIDAY	NELSON	SEWELL
ANDREWS	CRANDALL	HAMILTON	NIVEN	SHANLEY
ASTOR	CRAWFORD	HAVENS	NORTH	SHEARD
BAKER	CURRAN	I. I. HAYES	NOYES	SHELDON
BATHE	DALY	HULME	PALMER	SKINNER
BERGEN	DAY	JONES	PARKER	STRACK
BERRIGAN	DEYOE	KEEGAN	PATTERSON	SUTHERLAND
BERRY	DUELL	KING	PEEK	THAIN
BOUCK	FITZGERALD	LOWING	POOL	THOMSON
BROOKS	FLOYD-JONES	MCDONOUGH	PRESCOTT	TOWNSLEY
BROWNING	FLYNN	MEKEEL	REYNOLDS	WADSWORTH
BRUNDAGE	FOSTER	J. H. MILLER	ROBERTS	WEMPLE
CASE	FRANK	MOOERS	ROWLAND	WHEELER
CHAPPELL	GALVIN	MEYENBORG	SAWYER	WILBOR
CLAPP	GRADY	NEILSON	SEEBACHER	WILLIAMS
CLARK				

Those who voted in the negative, were

ALVORD	CORMACK	HOBBIE	E. TAYLOR	WINCH
CLANCY	FISH	KELLOGG	WILLIS	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 77.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	I. I. HAYES	J. H. MILLER	SHEARD
ALVORD	CRAWFORD	HOBBIE	MOLLER	SHELDON
BAKER	CROWLEY	HOLBROOK	MOOERS	SKINNER
BATHE	CURRAN	HOYT	NEILSON	STORY
BEARD	DALY	HULME	NELSON	SUTHERLAND
BERGEN	DAY	JONES	NIVEN	THOMSON
BERRY	DEYOE	KEEGAN	NORTH	VALENTINE
BOUCK	DUELL	KELLOGG	PALMER	WADSWORTH
BROOKS	FISH	KERN	PARKER	WAKELY
BROWNING	FITZGERALD	KING	PATTERSON	WARING
BRUNDAGE	FLOYD-JONES	LANGNER	DEWITT C. PECK	WEMPLE
CASE	FLYNN	LOWING	PEEK	WILBOR
CLAPP	FOSTER	MATTISON	POOL	WILLERS
CLARK	GALVIN	MCDONOUGH	SAWYER	WILLIAMS
CONVERSE	GRADY	MEAD	SHANLEY	WILLIS
CORMACK	HALLIDAY			

Those who voted in the negative, were

PRESCOTT	E. TAYLOR	WINCH
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 830 of the Laws of 1873, entitled 'An act to legalize the adoption of minor children by adult persons,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 81.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOBBIE	MOOERS	STORY
ALVORD	DALY	HOLBROOK	MEYENBORG	STRACK
ANDREWS	DAY	HOYT	NEILSON	SUTHERLAND
BAKER	DEYOE	HULME	NIVEN	E. TAYLOR
BATHE	DUELL	JONES	NORTH	THAIN
BERRY	FISH	KEEGAN	PALMER	THOMSON
BOUCK	FITZGERALD	KELLOGG	DEWITT C. PECK	TOWNSLEY
BROOKS	FLOYD-JONES	KERN	PEEK	VALENTINE
BROWNING	FLYNN	KING	POOL	WADSWORTH
CASE	FOSTER	LANGNER	PRESCOTT	WARING
CLAPP	GRADY	LOVELAND	REYNOLDS	WEMPLE
CONVERSE	GRAHAM	LOWING	SAWYER	WILBOR
CORMACK	GRIGGS	MAPES	SHANLEY	WILLERS
COSAD	HALLIDAY	MATTISON	SHEARD	WILLIAMS
CRANDALL	HAMILTON	MEAD	SHELDON	WILLIS
CRAWFORD	I. I. HAYES	MOLLER	SKINNER	WINCH
CROWLEY				

For the negative,

BEARD

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act for the relief of Abel Crook," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOYT	MEYENBORG	SHELDON
ALLEN	CURRAN	HULME	NEILSON	SKINNER
ALVORD	DALY	JONES	NELSON	STORY
ANDREWS	DEYOE	KELLOGG	NIVEN	STRACK
ASTOR	DUELL	KERN	NORTH	SUTHERLAND
BEARD	FISH	KING	PALMER	E. TAYLOR
BERRY	FITZGERALD	LANGNER	PATTENGILL	THAIN
BOUCK	FLOYD-JONES	LOVELAND	CICERO C. PECK	THOMSON
BROWNING	FLYNN	LOWING	DEWITT C. PECK	VALENTINE
CASE	GALVIN	MAPES	PEEK	WADSWORTH
CHAPPELL	GRADY	MATTISON	REYNOLDS	WAKELY
CHASE	GRIGGS	MCDONOUGH	ROWLAND	WEMPLE
CLAPP	HAMILTON	MEAD	SAWYER	WHEELER
CLARK	I. I. HAYES	J. H. MILLER	SEEBACHER	WILBOR
CONVERSE	HENRY	S. V. R. MILLER	SEWELL	WILLIAMS
CORMACK	HEPBURN	MOLLER	SHANLEY	WILLIS
CRANDALL	HOBBIE	MOOERS	SHEARD	

Those who voted in the negative, were

PRESCOTT WILLERS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to organize the Senate districts, and for the apportionment of the members of Assembly of this State," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 58, strike out the word "second," and insert the word "third."

Line 72, same section, strike out the word "second," and insert the word "third."

Line 115, strike out the words "Otsego" and "Herkimer," and insert the words "Chenango" and "Broome."

Line 123, strike out the words "Broome" and "Chenango," and insert the words "Herkimer" and "Otsego."

Line 127, strike out the word "Schuyler."

Same line, strike out the word "Yates," and insert the word "Allegany."

Line 129, strike out the words "and Livingston," and insert the words "Schuyler and Yates."

Line 131, add, at the end thereof, the words "and Orleans."

Line 133, strike out the word "Orleans," and insert the word "Livingston."

Line 137, strike out the word "Allegany."

Line 181, strike out the word "two," and insert the word "three."

Line 188, strike out the word "two," and insert the word "one."

Mr. Alvord moved to non-concur in the amendments made in the Senate to said bill, and asked that a committee of conference be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then announced as such committee of conference Messrs. Alvord, Fish, King, Grady, and Halliday.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in their amendments, and request a committee of conference thereon.

Mr. Clapp offered, for the consideration of the House, resolutions in the words following:

Resolved, That in the death of Hon. Franklin W. Tobey, formerly a member of this House, the fell destroyer has loved "a shining mark."

Resolved, That in all the relations of official intercourse, as in all the associations of private life, he was ever faithful to his trust, and ever true to the generous impulses of his nature.

Resolved, That we deeply deplore his sudden and untimely end, and that as a mark of respect to his memory, this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

Whereupon, at 1 o'clock and 45 minutes, the House took a recess until 4 o'clock and 30 minutes P. M.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

The Senate bill entitled "An act declaring both branches of the Oswegatchie river, in the towns of Croghan and Diana, Lewis county, public highways," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HULME	MOLLER	SHELDON
ALLEN	COSAD	JONES	MOOERS	SKINNER
ALVORD	CRANDALL	KEATOR	NIVEN	STORY
ANDREWS	CROWLEY	KEEGAN	PALMER	STRACK
ASTOR	CURRAN	KELLOGG	PARKER	SUTHERLAND
BAKER	DAY	KERN	PATTENGILL	E. TAYLOR
BATHE	DUELL	KING	PEEK	J. T. TAYLOR
BEARD	FLOYD-JONES	LANGNER	PIPER	TERRY
BERRY	FLYNN	LOVELAND	POOL	THAIN
BOUCK	FOSTER	LOWING	PRESCOTT	TOWNSLEY
BROOKS	GALVIN	MAPES	REYNOLDS	VALENTINE
BROWNING	GRAHAM	MATTISON	ROBERTS	WADSWORTH
BRUNDAGE	HAMILTON	MCDONOUGH	ROWLAND	WAKELY
CASE	HAVENS	MEAD	SAWYER	WHEELER
CHAPPELL	HEPBURN	MEKEEL	SEWELL	WILBOR
CLAPP	HOBBIE	J. H. MILLER	SHANLEY	WILLERS
CLARK	HOLBROOK	S. V. R. MILLER	SHEARD	WINCH
CONVERSE	HOYT			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act authorizing the adult male Seneca Indians, residing upon the Cornplanter reservation, to vote and hold office under the Constitution of the Seneca Nation of Indians," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 82.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HURD	NORTH	SHELDON
ALLEN	DAY	JONES	NOYES	SKINNER
ALVORD	DUELL	KEEGAN	PARKER	STORY
ANDREWS	FISH	KELLOGG	PATTENGILL	STRACK
BAKER	FLOYD-JONES	KING	DeWITT C. PECK	SUTHERLAND
BATHE	FLYNN	LANGNER	PEEK	E. TAYLOR
BEARD	FOSTER	LOVELAND	PIPER	TERRY
BOUCK	GALVIN	LOWING	POOL	THAIN
BROOKS	GILBERT	MCDONOUGH	PRESCOTT	WADSWORTH
BROWNING	GRIGGS	MEAD	ROBERTS	WAKELY
BRUNDAGE	HAMILTON	MEKEEL	ROWLAND	WARING
CASE	I. I. HAYES	J. H. MILLER	SAWYER	WEMPLE
CHAPPELL	HEPBURN	S. V. R. MILLER	SEARING	WILBOR
CLAPP	HOBBIE	MOOERS	SEWELL	WILLERS
CLARK	HOLBROOK	NEILSON	SHANLEY	WILLIAMS
CONVERSE	HOYT	NIVEN	SHEARD	WILLIS
CRANDALL	HULME			

For the negative,

ASTOR

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Wemple moved to take from the table the motion to reconsider the vote by which the Senate bill entitled "An act to classify the board of trustees of the Clinton Liberal Institute, and to provide for the election of said trustees," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 74.

NOES 28.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HURD	PATTENGILL	SUTHERLAND
ALLEN	CLARK	KELLOGG	PATTERSON	E. TAYLOR
ALVORD	CRANDALL	LANGNER	CICERO C. PECK	J. T. TAYLOR
ANDREWS	CRAWFORD	LOWING	PEEK	TERRY
ASTOR	CROWLEY	MAPES	POOL	WADSWORTH
BAKER	DAY	MATTISON	PURDY	WAKELY
BATHE	DOUGLASS	MCDONOUGH	REYNOLDS	WARING
BEARD	FISH	MEKEEL	ROWLAND	WEMPLE
BOUCK	FLOYD-JONES	J. H. MILLER	SAWYER	WHEELER
BROOKS	FLYNN	MOLLER	SEARING	WILBOR
BROWNING	GRAHAM	MOOERS	SEWELL	WILLIAMS
BRUNDAGE	HAVENS	MEYENBORG	SHANLEY	WILLIS
CASE	I. I. HAYES	NEILSON	SHEARD	WINCH
CHAPPELL	HEPBURN	PALMER	STORY	WORTH
CHASE	HULME	PARKER	STRACK	

Those who voted in the negative, were

CLANCY	GRIGGS	HOYT	NORTH	SEEBACHER
CONVERSE	HALLIDAY	JONES	DEWITT C. PECK	SKINNER
COSAD	HAMILTON	KEATOR	PRESCOTT	TOWNSLEY
DEYOE	HENRY	KERN	PROPER	VALENTINE
FOSTER	HOBBIE	LOVELAND	ROBERTS	WILLERS
GALVIN	HOLBROOK	S. V. R. MILLER		

Mr. Prescott moved to recommit said bill to the committee on the judiciary, with instructions to amend the same by striking out the word "June" wherever occurring, and inserting in lieu thereof the word "October," and said committee to report forthwith.

Mr. Sheard moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Prescott, and it was determined in the negative, as follows:

AYES 44.

NOES 59.

Those who voted in the affirmative, were

ASTOR	FOSTER	HOLBROOK	S. V. R. MILLER	SKINNER
CLANCY	GALVIN	HOYT	NORTH	SUTHERLAND
CONVERSE	GILBERT	JONES	PATTERSON	J. T. TAYLOR
COSAD	GRADY	KEATOR	DEWITT C. PECK	THOMSON
CRANDALL	GRIGGS	KERN	PRESCOTT	TOWNSLEY
CURRAN	HALLIDAY	LOVELAND	PROPER	VALENTINE
DEYOE	HAMILTON	MCDONOUGH	ROBERTS	WILBOR
DUELL	HENRY	MEKEEL	SEEBACHER	WILLERS
FLOYD-JONES	HOBBIE	J. H. MILLER	SHELDON	

Those who voted in the negative, were

ABBOTT	CASE	KING	PATTENGILL	TERRY
ALLEN	CHAPPELL	LANGNER	CICERO C. PECK	THAIN
ALVORD	CHASE	LOWING	PEEK	WADSWORTH
ANDREWS	CLARK	MAPES	POOL	WAKELY
BAKER	CRAWFORD	MATTISON	PURDY	WARING
BATHE	CROWLEY	MOLLER	REYNOLDS	WEMPLE
BEARD	DAY	MOOERS	ROWLAND	WHEELER
BERRY	FISH	MEYENBORG	SAWYER	WILLIAMS
BOUCK	HAVENS	NEILSON	SEWELL	WILLIS
BROOKS	I. I. HAYES	NELSON	SHANLEY	WINCH
BROWNING	HEPBURN	PALMER	SHEARD	WORTH
BRUNDAGE	HURD	PARKER	E. TAYLOR	

When the name of Mr. Keegan was called, he asked to be and was excused from voting.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 73.

NOES 35.

Those who voted in the affirmative, were

ABBOTT	CHASE	HULME	PALMER	SUTHERLAND
ALLEN	CLARK	HURD	PARKER	E. TAYLOR
ALVORD	CRAWFORD	KEEGAN	PATTENGILL	TERRY
ANDREWS	CROWLEY	KELLOGG	CICERO C. PECK	THAIN
BAKER	DALY	KING	PEEK	THOMSON
BATHE	DAY	LANGNER	POOL	WADSWORTH
BEARD	DOUGLASS	LOWING	PURDY	WAKELY
BERRY	FISH	MAPES	REYNOLDS	WARING
BOUCK	FITZGERALD	MATTISON	ROWLAND	WEMPLE
BROOKS	FRANK	MCDONOUGH	SAWYER	WHEELER
BROWNING	GILBERT	MOLLER	SEARING	WILBOR
BRUNDAGE	GRAHAM	MOOERS	SEWELL	WILLIAMS
BURNS	HAVENS	MEYENBORG	SHANLEY	WILLIS
CASE	I. I. HAYES	NEILSON	SHEARD	WORTH
CHAPPELL	HEPBURN	NELSON		

Those who voted in the negative, were

ASTOR	FOSTER	HENRY	J. H. MILLER	ROBERTS
CLANCY	GALVIN	HOBBIE	S. V. R. MILLER	SEEBACHER
CONVERSE	GRADY	HOLBROOK	NORTH	SKINNER
COSAD	GRIGGS	HOYT	PATTERSON	TOWNSLEY
CRANDALL	HALLIDAY	JONES	DEWITT C. PECK	VALENTINE
DUELL	HAMILTON	KEATOR	PRESCOTT	WILLERS
FLOYD-JONES	J. HAYES	LOVELAND	PROPER	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act relating to certain of the public burdens of the various cities of the State," with a message that they had agreed to the report of the committee of conference on said bill in the words following:

The committee of conference appointed by the Senate and Assembly, to which was referred the matter in difference between the two Houses upon the Assembly bill entitled "An act relating to certain of the public burdens of the various cities of the State," having met and duly considered the same, have agreed to recommend that the Assembly do recede

from its action non-concurring in the amendments made by the Senate to said bill, and that the same be concurred in.

HAMILTON FISH, JR.,
W. W. ASTOR,
ERASTUS BROOKS,
WM. H. WARING,
JAMES DALY,

Assembly Committee.

THEO. M. POMEROY,
HAM. HARRIS,
THOS. C. E. ECCLESINE,
Senate Committee.

Mr. Purdy moved that said report of the committee of conference be laid upon the table and printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 92.

NOES 10.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HENRY	MOLLER	SHELDON
ALVORD	CURRAN	HEPBURN	MOOERS	SKINNER
ANDREWS	DALY	HOBBIE	NEILSON	SUTHERLAND
ASTOR	DAY	HOLBROOK	NORTH	E. TAYLOR
BAKER	DEYOE	HOYT.	PALMER	TERRY
BEARD	DOUGLASS	HURD	PARKER	THAIN
BERGEN	DUELL	JONES	PATTENGILL	THOMSON
BERRY	FISH	KEEGAN	PATTERSON	TOWNSLEY
BOUCK	FLOYD-JONES	KERN	CICERO C. PECK	VALENTINE
BROOKS	FOSTER	KING	DEWITT C. PECK	WADSWORTH
BURNS	FRANK	LANGNER	POOL	WAKELY
CASE	GALVIN	LOVELAND	REYNOLDS	WARING
CHAPPELL	GILBERT	LOWING	SAWYER	WILBOR
CHASE	GRADY	MAPES	SEARING	WILLERS
CURRAN	GRAHAM	MATTISON	SEEBACHER	WILLIAMS
CLAPP	GRIGGS	MEKEEL	SEWELL	WILLIS
CLARK	HALLIDAY	J. H. MILLER	SHANLEY	WINCH
CONVERSE	HAMILTON	S. V. R. MILLER	SHEARD	WORTH
COSAD	I. I. HAYES			

Those who voted in the negative, were

ALLEN	CRANDALL	J. HAYES	PRESCOTT	ROBERTS
BROWNING	FITZGERALD	HULME	PURDY	STRACK

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the conference committee.

Mr. Alvord moved to take from the table the motion to reconsider the vote by which Senate bill entitled "An act relative to the justices of the Supreme Court in the third judicial district," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 75. NOES 23.

Those who voted in the affirmative, were

ALLEN	CONVERSE	GALVIN	KING	POOL
ALVORD	CRANDALL	GILBERT	LANGNER	SEARING
ASTOR	CRAWFORD	GRADY	MAPES	SEEBACHER
BAKER	CROWLEY	GRAHAM	MATTISON	SEWELL
BATHE	CURRAN	HAMILTON	MCDONOUGH	SHANLEY
BERGEN	DALY	HAVENS	MEKEEL	SHEARD
BERRY	DAY	I. I. HAYES	MOOERS	SHELDON
BOUCK	DOUGLASS	J. HAYES	MEYENBORG	SUTHERLAND
BROOKS	DUELL	HENRY	NIVEN	J. T. TAYLOR
BROWNING	FISH	HOBBIE	NORTH	THAIN
BRUNDAGE	FITZGERALD	HOYT	PALMER	WAKELY
BURNS	FLOYD-JONES	HULME	PATTENGILL	WHEELER
CASE	FLYNN	HURD	PATTERSON	WILBOR
CLANCY	FOSTER	KELLOGG	DEWITT C. PECK	WILLIS
CLAPP	FRANK	KERN	PIPER	WORTH

Those who voted in the negative, were

CHAPPELL	HALLIDAY	NELSON	SKINNER	THOMSON
CLARK	JONES	PROPER	STRACK	WADSWORTH
CORMACK	LOVELAND	REYNOLDS	E. TAYLOR	WILLIAMS
DEYOE	J. H. MILLER	ROBERTS	TERRY	WINCH
GRIGGS	NEILSON	SAWYER		

Mr. Cormack moved that said bill be recommitted to the committee on the judiciary, with instructions to strike out the enacting clause.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Cormack, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 72. NOES 34.

Those who voted in the affirmative, were

ALLEN	CRANDALL	GRADY	MATTISON	PURDY
ALVORD	CRAWFORD	GRAHAM	MCDONOUGH	SEARING
ANDREWS	CROWLEY	HAMILTON	MEAD	SEEBACHER
ASTOR	DALY	HAVENS	MEKEEL	SEWELL
BAKER	DAY	I. I. HAYES	MOLLER	SHANLEY
BATHE	DOUGLASS	J. HAYES	MOOERS	SHEARD
BERGEN	DUELL	HENRY	MEYENBORG	SHELDON
BERRIGAN	FISH	HOYT	NIVEN	J. T. TAYLOR
BROOKS	FITZGERALD	HULME	PARKER	THAIN
BROWNING	FLOYD-JONES	HURD	PATTERSON	WAKELY
BRUNDAGE	FLYNN	KEEGAN	DEWITT C. PECK	WARING
CASE	FOSTER	KERN	PEEK	WHEELER
CLANCY	FRANK	KING	PIPER	WILLIS
CLAPP	GALVIN	LANGNER	POOL	WORTH
CONVERSE	GILBERT			

Those who voted in the negative, were

BEARD	DEYOE	J. H. MILLER	SAWYER	VALENTINE
BERRY	GRIGGS	NEILSON	SKINNER	WADSWORTH
BOUCK	HALLIDAY	NELSON	STRACK	WILBOR
CHAPPELL	HOLBROOK	PATTENGILL	SUTHERLAND	WILLERS
CLARK	JONES	PRESCOTT	E. TAYLOR	WILLIAMS
CORMACK	KELLOGG	REYNOLDS	TERRY	WINCH
COSAD	LOVELAND	ROBERTS	THOMSON	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Berry, from the sub-committee of the whole, presented a report from said committee; which was laid upon the table and ordered printed.

(See Doc. No. 136.)

Mr. Bergen moved to take from the table the Assembly bill entitled "An act to provide for the collection and payment of the assessment for the improvement of a public highway or avenue from Prospect park in the city of Brooklyn toward Coney Island, in the county of Kings, known as the Ocean parkway, laid out and improved pursuant to chapter 861 of the Laws of 1869, as amended by chapter 726 of the Laws of 1872."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was decided in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 59.

NOES 38.

Those who voted in the affirmative, were

ALLEN	CHASE	HOYT	S. V. R. MILLER	PRESCOTT
ALVORD	COSAD	HURD	MOOERS	PROPER
ANDREWS	CRANDALL	KELLOGG	NEILSON	SAWYER
BAKER	CROWLEY	KERN	NELSON	SEARING
BATHE	CURRAN	KING	NIVEN	SEEBACHER
BEARD	FISH	LANGNER	PARKER	SEWELL
BERGEN	FITZGERALD	LOVELAND	PATTENGILL	STORY
BOUCK	HALLIDAY	LOWING	PATTERSON	WADSWORTH
BROWNING	HAMILTON	MAPES	CICERO C. PECK	WHEELER
BRUNDAGE	I. I. HAYES	MATTISON	PEEK	WILBOR
CASE	J. HAYES	MEAD	PIPER	WILLIAMS
CHAPPELL	HOBBIE	J. H. MILLER	POOL	

Those who voted in the negative, were

ASTOR	CRAWFORD	HENRY	DEWITT C. PECK	TERRY
BERRY	DEYOE	HOLBROOK	SHANLEY	VALENTEINE
BROOKS	DOUGLASS	HULME	SHEARD	WARING
BURNS	DUELL	JONES	SHELDON	WILLERS
CLANCY	FLOYD-JONES	MCDONOUGH	SKINNER	WILLIS
CLAPP	FLYNN	MEKEEL	SUTHERLAND	WINCH
CLARK	GALVIN	MEYENBORG	E. TAYLOR	WORTH
CORMACK	GILBERT	NORTH		

Mr. Bergen moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, as follows:

AYES 57.

NOES 33.

Those who voted in the affirmative, were

ALLEN	CASE	HAMILTON	LOWING	PIPER
ALVORD	CHAPPELL	I. I. HAYES	MATTISON	PROPER
ANDREWS	CHASE	J. HAYES	MEAD	ROBERTS
ASTOR	CORMACK	HOBBIE	MOOERS	SEEBACHER
BAKER	COSAD	HOYT	NELSON	SEWELL
BATHE	CRANDALL	HURD	NIVEN	J. T. TAYLOR

BEARD	CROWLEY	KEEGAN	PALMER	THAIN
BERGEN	CURRAN	KELLOGG	PATTENGILL	WADSWORTH
BOUCK	DALY	KERN	PATTERSON	WHEELER
BROWNING	FITZGERALD	LANGNER	CICERO C. PECK	WILBOR
BRUNDAGE	GRAHAM	LOVELAND	PECK	WILLIS
BURNS	HALLIDAY			

Those who voted in the negative, were

ABBOTT	DOUGLASS	HOLBROOK	REYNOLDS	TERRY
BROOKS	FISH	HULME	SHANLEY	THOMSON
CLANCY	FLOYD-JONES	JONES	SHEARD	WARING
CLAPP	FLYNN	MEKEEL	SHELDON	WILLERS
CLARK	GALVIN	MEYENBORG	SKINNER	WILLIAMS }
CRAWFORD	GILBERT	NORTH	SUTHERLAND	WORTH
DEYOE	HENRY	DEWITT C. PECK		

On motion of Mr. Alvord, and at 7 o'clock and 5 minutes, the House adjourned.

THURSDAY, MAY 9, 1878.

The House met pursuant to adjournment.

Prayer by Rev. M. Yauch.

The journal of yesterday was read and approved.

Indefinite leave of absence was granted to Mr. Kern.

By unanimous consent,

Mr. Moller introduced a bill entitled "An act to authorize the electors of the town of Greenburgh, residing within the village of White Plains, to vote for commissioners of highways of the town of Greenburgh, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Moller, and by unanimous consent, said bill was ordered to a third reading.

Mr. Speaker offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill, G. O. 738, entitled "An act to amend chapter 720 of Laws of 1871, entitled 'An act to establish a department of police in the city of Buffalo, and provide for the government thereof,'" be and the same is hereby referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Also, the following :

Resolved, That Assembly bill, No. 739, G. O. 531, entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Foster called from the table a resolution, previously offered by him, in the words following :

"*Resolved* (if the Senate concur), That the Governor be and he is hereby authorized and requested, in his discretion, to issue to the Albany Academy, upon the requisition of the principal of that academy, approved by the president of the board of trustees thereof, light cadet muskets and equipments in amount and kind as may be necessary for the purpose of military instruction, not exceeding one hundred and twenty-five ;

provided, however, that no military property be issued under this resolution unless security for the safe-keeping and return thereof be first given by the said Albany Academy ; and provided, further, that in case of need by the State, at any time, of the property of the State so issued, the same may be demanded and received by the Governor."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The privileges of the floor were granted to Hon. G. M. Clarke.

By unanimous consent, Mr. Nelson offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill No. 509, entitled "An act defining and limiting the duties of certain officials," be recommitted to the committee on general laws.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent, Mr. Curran offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 187, entitled "An act to amend chapter 440 of the Laws of 1876, entitled 'An act to amend an act entitled An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amendatory of the same, passed March 4, 1872," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, reported a bill entitled "An act to provide ways and means for the support of government," and recommended its passage.

On motion of Mr. Alvord, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRANDALL	HOBBIE	NORTH	STORY
ALVORD	CRAWFORD	HOLBROOK	NOYES	SUTHERLAND
ANDREWS	CROWLEY	HOYT	PALMER	E. TAYLOR
ASTOR	CURRAN	HULME	PATTENGILL	THAIN
BATHE	DALY	JONES	CICERO C. PECK	THOMSON
BEARD	DAY	KELLOGG	DEWITT C. PECK	TOWNSLEY
BERGEN	DEYOE	KING	PEEK	VALENTINE
BERRIGAN	FISH	LANGNER	PRESCOTT	WAKELY
BERRY	FLOYD-JONES	LOVELAND	PROPER	WARING
BROOKS	FLYNN	LOWING	PURDY	WEMPLE
BROWNING	FOSTER	MAPES	REYNOLDS	WILBOR
BURNS	FRANK	MATTISON	SAWYER	WILLERS
CASE	GILBERT	MEKEEL	SEEBACHER	WILLIAMS
CHAPPELL	GRIGGS	S. V. R. MILLER	SEWELL	WILLIS
CLARK	HALLIDAY	MOLLER	SHEARD	WINCH
CONVERSE	HAVENS	MEYENBORG	SHELDON	WORTH
CORMACK	I. I. HAYES	NEILSON	SKINNER	SPEAKER
COSAD	HEPBURN	NELSON	SLITER	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. I. I. Hayes introduced a bill entitled "An act relating to the sale of liquors, wines, ales, and beer in restaurants in the cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read informing of concurrence in the passage of the following resolution :

"*Resolved*, That a respectful message be sent to the Senate asking the return of the concurrent resolution passed by the Assembly May second, providing for the final adjournment of the Legislature on the tenth instant."

Mr. Alvord moved to reconsider the vote by which said resolution was adopted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to amend said resolution by striking out the words "Friday, the tenth," and inserting in lieu thereof the words "Wednesday, the fifteenth."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

By unanimous consent,

Mr. Noyes introduced a bill entitled "An act to authorize Hamilton Creque to establish and maintain a ferry across Cayuga lake and Union Springs," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Noyes, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 90.

NOES 00.

Those who voted in the affirmative, were

ALLEN	COSAD	HOBIE	NELSON	STORY
ALVORD	CROWLEY	HOLBROOK	NORTH	STRACK
ANDREWS	CURRAN	HOYT	NOYES	SUTHERLAND
ASTOR	DALY	HULME	PALMER	E. TAYLOR
BAKER	DAY	JONES	PARKER	TERRY
BEARD	DEYOE	KEATOR	CICERO C. PECK	THAIN
BERGEN	DUELL	KEEGAN	DEWITT C. PECK	THOMSON
BERRIGAN	FISH	KELLOGG	PEEK	VALENTINE
BERRY	FITZGERALD	KING	POOL	WADSWORTH
BOUCK	FLOYD-JONES	LANGNER	PRESCOTT	WAKELY
BROWNING	FLYNN	LOVELAND	REYNOLDS	WARING
BRUNDAGE	FOSTER	LOWING	ROWLAND	WEMPLE
BURNS	FRANK	MATTISON	SAWYER	WHEELER
CASE	GRADY	MEKEEL	SEARING	WILBOR
CLANCY	GRIGGS	J. H. MILLER	SHEARD	WILLERS
CLAPP	HALLIDAY	S. V. R. MILLER	SHELDON	WILLS
CLARK	HAVENS	MOLLER	SKINNER	WINCH
CONVERSE	I. I. HAYES	NEILSON	SLITER	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Langner, Int. No. 877, entitled "An act to amend an act entitled 'An act to establish a department of police in the city of Buffalo, and to provide for the government thereof,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Langner, Int. No. 876, entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by I. I. Hayes, Int. No. 950, entitled "An act to make provision for the payment of further expenses of the local government of the city of New York," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to provide for the laying out and improvements of the public squares and places established on Fourth avenue, in the city of New York, by chapter 528 of the Laws of 1873" (Messrs. Fish and Astor dissenting), which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Thain, Int. No. 728, entitled "An act to provide for the apportionment, assessment and payment of the expenses of regulating, grading, paving, sewerage and otherwise improving the streets and avenues in the city of New York, called and designated as the Eastern boulevard in and by chapter 528 of the Laws of 1873," reported the same for the consideration of the House.

On motion of Mr. Fish, and by unanimous consent, said bill was ordered recommitted when printed.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,'" reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act in relation to the city of Brooklyn," which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Worth, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 231, entitled "An act to provide for the opening, grading and paving of a certain portion of De Kalb avenue, in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Worth, and by unanimous consent, said bill was ordered to a third reading.

The Senate returned the resolutions relative to printing 500 extra copies of the Proceedings of the University Convocation; also, 400 copies of the Report on Toll, Trade, and Tonnage, and 100 copies of the Auditor's Expenditure Report for the year 1877; also, 1,000 extra copies of the Ninety-first Annual Report of the Regents of the University; also, 1,000 extra copies of the Annual Report of the Central New York Institute for Deaf-mutes, with messages that they had concurred in the passage of the same, respectively.

The Senate returned the resolution relative to the publication of certain centennial records, with a message that they had concurred in the passage of the same, with the following amendment:

Insert, after the word "Bemis Heights," in second preamble, the words "the laying of the corner stone of the monument at the old fort at Schoharie to David Williams, one of the captors of Major Andre."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 71. NOES 5.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	I. I. HAYES	PATTENGILL	STORY
ALVORD	CURRAN	HEPBURN	CICERO C. PECK	E. TAYLOR
ANDREWS	DALY	HOBBIE	DEWITT C. PECK	TERRY
BAKER	DAY	JONES	PEEK	THAIN
BATHE	DUELL	KELLOGG	PIPER	THOMSON
BEARD	FISH	KING	PRESCOTT	TOWNSLEY
BERRIGAN	FLOYD-JONES	LANGNER	ROBERTS	WADSWORTH
BERRY	FLYNN	LOVELAND	SAWYER	WARING
BROWNING	GALVIN	MATISON	SEARING	WILBOR
BRUNDAGE	GILBERT	MCDONOUGH	SEWELL	WILLERS-
CASE	GRAHAM	MEKEEL	SHANLEY	WILLIAMS
CHAPPELL	GRIGGS	S. V. R. MILLER	SHEARD	WILLIS
CLANCY	HALLIDAY	PALMER	SHELDON	WINCH
CLARK	HAMILTON	PARKER	SLITER	WORTH
COSAD				

Those who voted in the negative, were

BROOKS	NELSON	SKINNER	SUTHERLAND	WAKELY
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Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate returned the following entitled bills, with a message that they have non-concurred in the passage of the same:

"An act to provide for maintaining the solvency of life insurance companies and protecting the rights of policyholders."

"An act to amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,' passed April 11, 1870."

The Senate returned the following entitled bills, with a message that they had reconsidered the vote on the final passage of the same respectively, and had passed the same as amended by the Assembly:

"An act to amend section 1, chapter 316 of the Laws of 1876, entitled 'An act relative to judgments entered upon forfeited recognizances in the city and county of New York.'"

"An act to extend the time for the collection of taxes in the town of Cherry Valley, in the county of Otsego."

Ordered, That the Clerk return said bills to the Senate.

The Senate sent for concurrence the bills entitled as follows :

"An act to amend chapter 37 of the Laws of 1848, entitled 'An act to authorize the formation of gas-light companies,' and also to amend the title of said act," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. McDonough, said bill was referred to the committee on affairs of cities.

"An act to amend an act entitled 'An act to amend an act entitled An act to revise the charter of the city of Syracuse,' passed March 3, 1857, and also to amend an act entitled An act to amend an act entitled An act to revise the charter of the city of Syracuse, passed March 3, 1857, passed April 17, 1858," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

"An act to legitimize Josephine E. Gibson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to confirm the tax sales heretofore held in the village of West Mount Vernon, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act granting power to the trustees of the village of Cooperstown to purchase a steam fire engine and to issue bonds therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 280 of the Laws of 1847, entitled 'An act in relation to the judiciary,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Brooklyn Church Society of the Methodist Episcopal Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to prevent trespassing and intrusion upon railroad cars and engines," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend chapter 168 of the Laws of 1864, entitled 'An act to incorporate the Musical Mutual Protective Union,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act for the preservation of the public peace, the protection of private property, and the maintenance of law and good order in the town of Flatbush, in Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to create a police pension fund for disabled and retired policemen in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to extend the time for the completion of the New York and Albany railroad," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Griggs, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend chapter 75 of the Laws of 1876, entitled 'An act to amend chapter 94 of the Laws of 1875, entitled An act to further amend chapter 680 of the Laws of 1871, entitled An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo;' also, to amend chapter 680 of the Laws of 1871, entitled 'An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned the bill entitled "An act to amend chapter 309 of the Laws of 1877, entitled 'An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the 1st day of October, 1877,'" with a message that they have assented to a committee of conference on said bill, and have appointed as such committee Messrs. McCarthy, Hughes and Lippitt.

The Senate returned the bill entitled "An act to exempt the counties of Wayne and Broome from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" with a message that they have assented to a committee of conference on said bill, and have appointed as such committee Messrs. Goodwin, Pomeroy and Wendover.

The Senate returned the Senate bill entitled "An act in relation to the terms of office of the keeper of the morgue of Kings county," with a message that they had non-concurred in the amendments of the Assembly thereto, and have appointed Messrs. Jacobs, Harris and Edick as a committee of conference, and request a like committee on the part of the Assembly.

Mr. Worth moved that a committee of conference be appointed on the part of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then announced as such committee, Messrs. Worth, I. I. Hayes, Hobbie, Shanley, and Bergen.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon.

The Senate returned the bill entitled "An act to amend chapter 373 of the Laws of 1866, entitled 'An act to authorize any town in the counties of Columbia or Rensselaer to aid in the completion of the Lebanon Springs railroad,'" with a message that they had concurred in the passage of the same, with the following amendment:

Section 1, strike out all after the word "towns," in line 38, down to and including the word "expenditures," in line 40.

The amendment having been read,

Mr. Speaker put the question whether the house would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 1.

Those who voted in the affirmative, were

ALLEN	CURRAN	HOBBIE	NIVEN	STORY
ALVORD	DALY	HOYT	NORTH	SUTHERLAND
ANDREWS	DAY	HULME	PALMER	E. TAYLOR
ASTOR	DUELL	JONES	PARKER	TERRY
BAKER	FISH	KEATOR	PATTENGILL	THAIN
BEARD	FITZGERALD	KELLOGG	PATTERSON	THOMSON
BERGEN	FLOYD-JONES	KING	DEWITT C. PECK	VALENTINE
BERRIGAN	FLYNN	LOVELAND	PEEK	WADSWORTH
BERRY	FOSTER	LOWING	PIPER	WAKELY
BRUNDAGE	GRAHAM	MATTISON	ROBERTS	WARING
BURNS	GRIGGS	MCDONOUGH	SAWYER	WHEELER
CASE	HALLIDAY	MEKEEL	SEARING	WILBOR
CHAPPELL	HAMILTON	S. V. R. MILLER	SEWELL	WILLIAMS
CLANCY	HAVENS	MOLLER	SHEARD	WILLIS
CLARK	I. I. HAYES	MOOERS	SHELDON	WINCH
CORMACK	HEPBURN	NELSON	SKINNER	WORTH
CROWLEY				

For the negative,

PRESCOTT

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate returned the bill entitled "An act to amend section 19 of chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and regulate the sale of intoxicating liquors, so far as the same relates to the county of Ontario,'" with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, lines 29 and 30, strike out the words "the sum of fifty cents and."

Add, at the end of the section, the words "the same fees as are now allowed by law for the publication of legal notices."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 82.

NOES 12.

Those who voted in the affirmative, were

ALVORD	CRANDALL	HOLBROOK	PALMER	J. T. TAYLOR
ANDREWS	CRAWFORD	HOYT	PARKER	TERRY
ASTOR	CURRAN	HULME	PATTENGILL	THAIN
BAKER	DALY	JONES	CICERO C. PECK	THOMSON
BATHE	DEYOE	KEEGAN	DEWITT C. PECK	TOWNSLEY
BERGEN	DOUGLASS	KING	PIPER	VALENTINE
BERRY	DUELL	LOVELAND	PRESCOTT	WADSWORTH
BOUCK	FISH	LOWING	REYNOLDS	WAKELY
BROOKS	FLOYD-JONES	MAPES	ROBERTS	WARING
BROWNING	FLYNN	MATTISON	ROWLAND	WHEELER
BRUNDAGE	FOSTER	MEAD	SAWYER	WILBOR
CASE	GILBERT	MEKEEL	SHEARD	WILLERS
CHAPPELL	GRIGGS	S. V. R. MILLER	SHELDON	WILLIAMS
CLARK	HAMILTON	MOLLER	SKINNER	WILLIS
CONVERSE	HAVENS	NORTH	SUTHERLAND	WINCH
CORMACK	HEPBURN	NOYES	E. TAYLOR	WORTH
COSAD	HOBBIE			

Those who voted in the negative, were

ALLEN	CLANCY	GALVIN	LANGNER	SEEBACHER
BEARD	CROWLEY	KELLOGG	PURDY	STRACK
BERRIGAN	DAY			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act in relation to repaving Hudson avenue, in the city of Albany, New York," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 8, strike out the word "half," and insert the word "third."

Lines 10 and 11, same section, strike out the word "one-half," and insert the word "two-thirds."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 46.

NOES 37.

Those who voted in the affirmative, were

ALVORD	BROWNING	CRAWFORD	HULME	E. TAYLOR
ANDREWS	BRUNDAGE	DUELL	JONES	THAIN
ASTOR	CASE	FISH	KEEGAN	VALENTINE
BAKER	CHAPPELL	FOSTER	KING	WADSWORTH
BATHE	CHASE	GILBERT	LOWING	WARING
BEARD	CLAPP	GRIGGS	S. V. R. MILLER	WHEELER
BERGEN	CLARK	I. I. HAYES	DeWITT C. PECK	WILBOR
BERRIGAN	COSAD	HOLBROOK	REYNOLDS	WILLIS
BERRY	CRANDALL	HOYT	SHELDON	WORTH
BROOKS				

Those who voted in the negative, were

ALLEN	FLYNN	LANGNER	PARKER	SEARING
CLANCY	GALVIN	MATTISON	PATTENGILL	SKINNER
CORMACK	HALLIDAY	MCDONOUGH	PATTERSON	STORY
CROWLEY	J. HAYES	MEAD	CICERO C. PECK	SUTHERLAND
CURRAN	HEPBURN	MOLLER	PRESCOTT	THOMSON
DAY	HOBBIE	NORTH	PROPER	TOWNSLEY
DEYOE	HOLAHAN	PALMER	ROBERTS	WILLERS
FLOYD-JONES	KELLOGG			

Mr. Foster moved that a conference committee be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee Messrs. Foster, Griggs, Story, Beard, and Curran.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in their amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Senate.

The Senate returned the bill entitled "An act to release certain lands which have escheated to the State to Louisa Hanneder, widow of Joseph Hanneder, late of the city of Albany, New York," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 23, strike out the words "and conveyed."

Same section, lines 25 and 26, strike out the words "with full right to sell, convey, and devise the same."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRANDALL	HOLBROOK	PALMER	STORY
ALVORD	CRAWFORD	HOYT	PARKER	SUTHERLAND
ANDREWS	CROWLEY	HULME	PATTENGILL	E. TAYLOR
ASTOR	CURRAN	JONES	DEWITT C. PECK	TERRY
BAKER	DALY	KEEGAN	PEEK	THAIN
BATHE	DAY	KING	PIPER	THOMSON
BERGEN	DUELL	LOWING	POOL	VALENTINE
BERRIGAN	FISH	MAPES	PRESCOTT	WADSWORTH
BERRY	FLOYD-JONES	MATTISON	PURDY	WAKELY
BOUCK	FLYNN	MCDONOUGH	ROBERTS	WARING
BROWNING	FOSTER	MEAD	ROWLAND	WHEELER
BRUNDAGE	GALVIN	S. V. R. MILLER	SAWYER	WILBOR
CASE	GILBERT	MEYENBORG	SEARING	WILLERS
CHAPPELL	HALLIDAY	NEILSON	SHANLEY	WILLIAMS
CLANCY	HAMILTON	NELSON	SHEARD	WILLIS
CLARK	I. I. HAYES	NIVEN	SHELDON	WINCH
CONVERSE	HEPBURN	NORTH	SKINNER	WORTH
COSAD	HOBBIE	NOYES	SLITER	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to render inoperative an act entitled 'An act to amend an act to improve the Cayuga creek road, in the county of Erie,' passed March 29, 1848, passed March 29, 1849, so far as the same applies to the eastern section of said Cayuga creek road,'" with a message that they had concurred in the passage of the same, with the following amendment:

Section 3, strike out the words "May 1, 1878," and insert the word "immediately."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HOYT	NOYES	SKINNER
ALVORD	CURRAN	HULME	PALMER	STRACK
ANDREWS	DALY	JONES	PARKER	SUTHERLAND
ASTOR	DAY	KELLOGG	PATTERSON	E. TAYLOR
BAKER	DUELL	KING	DEWITT C. PECK	TERRY
BERGEN	FISH	LOVELAND	PIPER	THAIN
BERRIGAN	FLOYD-JONES	LOWING	POOL	THOMSON
BERRY	FLYNN	MATTISON	PRESCOTT	VALENTINE
BOUCK	FOSTER	MCDONOUGH	PURDY	WADSWORTH
BROWNING	GALVIN	MEKEEL	REYNOLDS	WAKELY
BRUNDAGE	GRAHAM	J. H. MILLER	ROBERTS	WHEELER
BURNS	HAMILTON	S. V. R. MILLER	ROWLAND	WILBOR
CASE	HAVENS	MEYENBORG	SAWYER	WILLERS
CHAPPELL	I. I. HAYES	NEILSON	SEARING	WILLIS
CONVERSE	HEPBURN	NELSON	SHEARD	WINCH
COSAD	HOBBIE	NIVEN	SHELDON	WORTH
CRANDALL	HOLBROOK			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate returned the bill entitled "An act for the relief of the Lutheran cemetery in the town of Newtown, in the county of Queens," with a message that they had concurred in the passage of the same, with the following amendment:

Section 2, line 7, after the words "made to," insert the words "or by."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 84.

NOES 1.

Those who voted in the affirmative, were

ALLEN	COSAD	HOBBIE	NOYES	E. TAYLOR
ALVORD	CROWLEY	HOLBROOK	PALMER	TERRY
ANDREWS	CURRAN	HOYT	PARKER	THAIN
BAKER	DALY	HULME	DEWITT C. PECK	THOMSON
BATHE	DAY	JONES	PIPER	TOWNSLEY
BERGEN	DUELL	KING	POOL	VALENTINE
BERRIGAN	FISH	LANGNER	PRESCOTT	WADSWORTH
BERRY	FLOYD-JONES	LOWING	PURDY	WAKELY
BOUCK	FLYNN	MATTISON	ROBERTS	WARING
BROOKS	FOSTER	MEKEEL	ROWLAND	WEMPLE
BROWNING	GALVIN	S. V. R. MILLER	SAWYER	WILBOR
BRUNDAGE	GRIGGS	MOLLER	SEWELL	WILLERS
CASE	HALLIDAY	MEYENBORG	SHEARD	WILLIAMS
CHAPPELL	HAMILTON	NEILSON	SHELDON	WILLIS
CLARK	HAVENS	NELSON	SKINNER	WINCH
CONVERSE	I. I. HAYES	NIVEN	STORY	WORTH
CORMACK	HEPBURN	NORTH	SUTHERLAND	

For the negative,

KEEGAN

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate returned the bill entitled "An act to organize the Senate districts, and for the apportionment of the members of Assembly of this State," with a message that they have assented to a committee of conference on said bill, and have appointed as such committee Messrs. Harris, Jacobs, and Sessions.

The Senate returned the bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" with a message that they had concurred in the passage of the same, with the following amendment:

Section 1, line 8, after the word "Columbia," insert the words "Wyoming, Madison."

Mr. Lowing moved to non-concur in the amendments made to said bill, and asked that a conference committee be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then announced as such committee Messrs. Lowing, Berry, Andrews, Bouck, and C. C. Peck.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon, and request a like committee on the part of the Senate.

The Senate returned the bill entitled "An act to amend section 9, chapter 90 of the Laws of 1869, entitled 'An act to provide for improve-

ment of the navigation of the Racket river and of the hydraulic power thereon, and to check freshets therein," with a message that they had concurred in the passage of the same, with the following amendment:

Section 1, line 32, strike out the word "conclusive," and insert the word "presumptive."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ALLEN	COSAD	HEPBURN	NORTH	SKINNER
ALVORD	CRANDALL	HOBBIE	NOYES	STORY
ANDREWS	CURRAN	HOYT	PALMER	SUTHERLAND
ASTOR	DALY	HULME	PARKER	E. TAYLOR
BAKER	DAY	JONES	PATTENGILL	THAIN
BERGEN	DOUGLASS	KEATOR	DEWITT C. PECK	THOMSON
BERRIGAN	DUELL	KELLOGG	PIPER	VALENTINE
BERRY	FISH	KING	POOL	WADSWORTH
BROOKS	FLOYD-JONES	LOWING	PRESCOTT	WAKELY
BRUNDAGE	FLYNN	MATTISON	PURDY	WARING
BURNS	FOSTER	MEKEEL	ROBERTS	WHEELER
CASE	GRIGGS	S. V. R. MILLER	ROWLAND	WILBOR
CHAPPELL	HALLIDAY	MOLLER	SAWYER	WILLERS
CHASE	HAMILTON	NEILSON	SEEBACHER	WILLIS
CLARK	HAVENS	NELSON	SHANLEY	WINCH
CONVERSE	I. I. HAYES	NIVEN	SHELDON	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to amend chapter 245 of the Laws of 1875, entitled 'An act to amend chapter 818 of the Laws of 1868, entitled An act to incorporate the village of Portchester,' and to amend chapter 227 of the Laws of 1877."

"An act to amend chapter 800 of the Laws of 1869, entitled 'An act in relation to making and repairing highways and bridges in the towns of Flatbush and New Utrecht, in Kings county.'"

"An act to amend chapter 131 of the Laws of 1878, entitled 'An act to annex the village of West Mount Vernon, in the county of Westchester, to the village of Mount Vernon, in said county; to confirm the tax sales heretofore held in the said village of West Mount Vernon, and to provide for the division of the said village of Mount Vernon into wards after the annexation of the said village of Mount Vernon.'"

"An act to provide for a new school-house in the town of Gravesend, Kings county, New York."

"An act authorizing the village of Peekskill to borrow money for the repairs of streets, highways, and bridges in the village of Peekskill, in anticipation of the moneys to be raised for such purpose in the year 1878."

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1878, and to provide for an anticipated deficiency in former appropriations."

"An act to amend chapter 189 of the Laws of 1874, entitled 'An act to provide security against extraordinary conflagrations, and for the creation of safety funds by fire insurance companies.'"

"An act reappropriating money for the payment of sums due to contractors for new work upon, and extraordinary repairs of, the canals."

"An act to amend chapter 322 of the Laws of 1869, entitled 'An act to encourage the planting of shade trees along the sides of public highways.'"

"An act authorizing the Syracuse, Chenango and New York Railroad Company to use, occupy and enjoy the towing path of a portion of the Chenango canal."

"An act to authorize the trustees of the village of Valatie to borrow money to be expended in the purchase of a suitable building and lot for the purpose of a public hall for the use of said village."

"An act to provide for the appointment of special game constables."

"An act to establish the compensation of the county judge and the surrogate of Saratoga county, pursuant to the fifteenth section of the amended sixth article of the Constitution."

"An act to amend chapter 403 of the Laws of 1868, entitled 'An act to establish and maintain a free bridge between Sag-Harbor and North Haven, in the town of Southampton, Suffolk county, and to make such bridge a county charge.'"

"An act to provide means for the equipment and furnishing of the building erected on that portion of the Central park, in the city of New York, east of the old receiving reservoir, under the provisions of chapter 290 of the Laws of 1871, for the purposes of a museum and gallery of art, and for removing thereto and establishing therein the collections of the Metropolitan Museum of Art."

"An act to amend an act, passed January 18, 1832, entitled 'An act to revise and amend the act entitled An act to authorize the building of a toll bridge over the Hudson river,' passed April 2, 1825, and the act amendatory thereof, passed May 2, 1829."

Ordered, That the Clerk deliver said bills to the Governor.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hopkins, Int. No. 237, entitled "An act to authorize the board of supervisors of the county of Broome to issue bonds for the purpose of raising money to pay the indebtedness of the county to the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Andrews, and by unanimous consent, said bill was ordered to a third reading.

Mr. Berry called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 660, No. 546, "An act to amend chapter 135 of the Laws of 1860, entitled 'An act in relation to district attorneys.'"

Senate, G. O. 664, No. 63, "An act for the relief of Thomas E. Davis,"

Senate, G. O. 723, No. 124, "An act to amend chapter 411 of the Laws of 1877, entitled 'An act further to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.' " [With amendments.]

Senate, G. O. 614, No. 196, "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

G. O. 606, No. 517, "An act supplementary to chapter 29 of the Laws of 1865, in relation to the payment of bounties."

G. O. 493, No. 438, "An act to legalize the official acts of William Alt, of the city of New York, a notary public."

G. O. 655, No. 541, "An act relating to the publication of notices of sales in foreclosure in the city of New York." [With an amendment.]

G. O. 691, No. 560, "An act to amend chapter 130, Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,' and the several acts amendatory thereof."

G. O. 603, No. 514, "An act to exempt the lands held by the commissioners for improvements on the Oswegatchie river from taxation."

G. O. 367, No. 322, "An act to amend chapter 162 of the Laws of 1877, entitled 'An act to amend chapter 389 of the Laws of 1876, entitled An act to amend chapter 504 of the Laws of 1875, entitled An act to amend chapter 455 of the Laws of 1874, entitled An act to protect the fisheries of Cross Lake in the county of Onondaga, State of New York, also of Clyde and Seneca rivers in the county of Wayne and Cayuga.'"

G. O. 725, No. 574, "An act defining the duties and powers of boards of town auditors."

Senate, G. O. 666, No. 7, "An act in relation to the property and families of absconding persons."

Senate, G. O. 688, No. 173, "An act to facilitate the removal of human remains from burying-grounds within the limits of cities."

Senate, G. O. 651, No. 137, entitled "An act to amend chapter 680 of the Laws of 1872, entitled 'An act to amend an act entitled An act in relation to wills, passed April 23, 1864.'"

Senate, G. O. 684, No. 69, "An act to amend chapter 416 of the Laws of 1877, entitled 'An act relating to courts, officers of justice and civil proceedings.'"

G. O. 610, No. 520, "An act in relation to elections in the city of Albany, and to provide for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage thereat." [With amendments.]

Mr. Daly moved that Assembly bill entitled "An act relating to the publication of notices of sales in foreclosure in the city of New York," be recommitted to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the negative.

Mr. Curran moved that Assembly bill entitled "An act in relation to elections in the city of Albany, and to provide for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage thereat," be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Berry moved that Senate bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Valentine moved that Assembly bill entitled "An act to amend chapter 152 of the Laws of 1877, entitled 'An act to amend chapter 389 of the Laws of 1876, entitled An act to amend chapter 504 of the Laws of 1875, entitled An act to amend chapter 455 of the Laws of 1874,

entitled An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York; also of Clyde and Seneca rivers, in the counties of Wayne and Cayuga," be laid upon the table. *

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said report, excepting the bills above named that were laid upon the table, and it was determined in the affirmative, and said bills were ordered engrossed, and to a third reading.

By unanimous consent,

Mr. Chappell offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 218, entitled "An act to fix the compensation of justices of sessions in Monroe county," and the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker announced, pursuant to the ninth joint rule, order of business, third reading of bills.

The Senate bill entitled "An act to ratify and confirm the title of Catherine Rasbach to certain lands in the village of Ilion, Herkimer county, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 93.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRANDALL	HOLAHAN	PATTERSON	E. TAYLOR
ALVORD	CRAWFORD	HOLBROOK	CICERO C. PECK	J. T. TAYLOR
ANDREWS	CROWLEY	HOYT	DEWITT C. PECK	TERRY
ASTOR	CURRAN	JONES	PEEK	THAIN
BAKER	DALY	KELLOGG	PIPER	THOMSON
BEARD	DAY	KING	POOL	TOWNSLEY
BERGEN	DEYOE	LOVELAND	PRESCOTT	VALENTINE
BERRIGAN	FISH	LOWING	PURDY	WADSWORTH
BERRY	FLOYD-JONES	MAPES	REYNOLDS	WAKELY
BOUCK	FOSTER	MATTISON	ROWLAND	WARING
BROOKS	GALVIN	MEKEEL	SAWYER	WEMPLE
BRUNDAGE	GILBERT	S. V. R. MILLER	SEARING	WHEELER
CASE	GRIGGS	NELSON	SEEBACHER	WILBOR
CHAPPELL	HALLIDAY	NELSON	SHEARD	WILLERS
CHASE	HAMILTON	NIVEN	SHELDON	WILLIAMS
CLARK	HAVENS	NORTH	SKINNER	WILLIS
CONVERSE	I. I. HAYES	NOYES	STORY	WINCH
CORMACK	HEPBURN	PALMER	SUTHERLAND	WORTH
COSAD	HOBBIE	PARKER		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Palmer moved to reconsider the vote by which the Senate amendments to Assembly bill entitled "An act to amend section 9, chapter 90 of the Laws of 1869, entitled 'An act to provide for improvement of the navigation of the Racket river and of the hydraulic power thereon, and to check freshets therein,'" was concurred in.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, a majority of all the

members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ALVORD	CRAWFORD	I. I. HAYES	NIVEN	SKINNER
ANDREWS	CROWLEY	HEPBURN	NORTH	STORY
ASTOR	CURRAN	HOBBIE	NOYES	SUTHERLAND
BATHE	DALY	HOYT	PALMER	E. TAYLOR
BEARD	DAY	HULME	PARKER	TERRY
BERGEN	DEYOE	JONES	PATTENGILL	THAIN
BERRIGAN	DUELL	KEEGAN	DEWITT C. PECK	THOMSON
BERRY	FISH	KELLOGG	PRESCOTT	VALENTINE
BROWNING	FLOYD-JONES	KING	PURDY	WADSWORTH
BRUNDAGE	FOSTER	LANGNER	ROBERTS	WAKELY
CASE	GALVIN	LOVELAND	ROWLAND	WARING
CHAPPELL	GILBERT	LOWING	SAWYER	WHEELER
CHASE	GRIGGS	MAPES	SEARING	WILBOR
CLANCY	HALIDAY	MATTISON	SEEBACHER	WILLERS
CLARK	HAMILTON	S. V. R. MILLER	SHEARD	WILLIAMS
COSAD	HAVENS	NELSON	SHELDON	WINCH

Mr. Palmer moved to non-concur in the Senate amendments, and that a conference committee be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee Messrs. Palmer, Rowland, Brundage, Floyd-Jones, and Havens.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon, and request a like committee on the part of the Senate.

The Senate bill entitled "An act to release the interest of the State in the real estate of which Peter Welden, late of the county of Richmond, died seized, to Patrick Doran," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 87.

NOES 1.

Those who voted in the affirmative, were

ALLEN	COSAD	JONES	PARKER	SUTHERLAND
ALVORD	CURRAN	KEATOR	PATTERSON	E. TAYLOR
ANDREWS	DALY	KEEGAN	DEWITT C. PECK	J. T. TAYLOR
ASTOR	DAY	KELLOGG	PRESCOTT	THAIN
BAKER	DOUGLASS	KING	PURDY	THOMSON
BEARD	DUELL	LANGNER	REYNOLDS	VALENTINE
BERGEN	FISH	LOVELAND	ROBERTS	WADSWORTH
BERRIGAN	FLOYD-JONES	LOWING	ROWLAND	WAKELY
BERRY	FOSTER	MATTISON	SAWYER	WARING
BOUCK	GRIGGS	MEKEEL	SEARING	WEMPLE
BROOKS	HALIDAY	S. V. R. MILLER	SEWELL	WHEELER
BROWNING	HAMILTON	MOOERS	SHANLEY	WILBOR
BRUNDAGE	HAVENS	NELSON	SHEARD	WILLERS
CASE	I. I. HAYES	NIVEN	SHELDON	WILLIAMS
CHAPPELL	HEPBURN	NORTH	SKINNER	WILLIS
CHASE	HOBBIE	NOYES	STORY	WINCH
CLARK	HOYT	PALMER	STRACK	WORTH
CONVERSE	HULME			

For the negative,

CORMACK

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to enable Charles Lanel and his successor to take and hold real estate in the State of New York as trustee, and to sell and convey the same within a limited period, notwithstanding his alienage," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 91.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HOYT	PARKER	STRACK
ALVORD	CURRAN	HULME	PATTENGILL	SUTHERLAND
ANDREWS	DALY	JONES	DEWITT C. PECK	E. TAYLOR
ASTOR	DAY	KEATOR	PEEK	TERRY
BAKER	DOUGLASS	KELLOGG	PIPER	THAIN
BATHE	DUELL	KING	POOL	THOMSON
BEARD	FISH	LANGNER	PRESCOTT	VALENTINE
BERGEN	FLOYD-JONES	LOVELAND	PURDY	WADSWORTH
BERRIGAN	FLYNN	LOWING	ROBERTS	WAKELY
BERRY	FOSTER	MEKEEL	ROWLAND	WARING
BROWNING	GALVIN	S. V. R. MILLER	SAWYER	WEMPLE
BRUNDAGE	GILBERT	MEYENBORG	SEARING	WHEELER
BURNS	GRIGGS	NEILSON	SEEBACHER	WILBOR
CASE	HALLIDAY	NELSON	SHANLEY	WILLERS
CHAPPELL	HAMILTON	NIVEN	SHEARD	WILLIAMS
CLANCY	I. I. HAYES	NORTH	SHELDON	WILLIS
CLARK	HOBBIE	NOYES	SKINNER	WINCH
CONVERSE	HOLBROOK	PALMER	STORY	WORTH
COSAD				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act for the preservation of fish, and to prevent the deposit of carrion or any deleterious substances on any fishing grounds, or in any rivers, creeks or waters within or adjacent to the county of Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 2.

Those who voted in the affirmative, were

ALLEN	CROWLEY	HEPBURN	MEYENBORG	TERRY
ALVORD	CURRAN	HOBBIE	NELSON	THAIN
ANDREWS	DALY	HOLAHAN	NIVEN	THOMSON
ASTOR	DAY	HOLBROOK	NORTH	VALENTINE
BERGEN	DEYOE	HOYT	NOYES	WADSWORTH
BERRIGAN	DOUGLASS	HULME	PARKER	WAKELY
BOUCK	FISH	HURD	PEEK	WARING
BROOKS	FLOYD-JONES	KEEGAN	PIPER	WEMPLE
BRUNDAGE	FLYNN	KELLOGG	ROWLAND	WHEELER
BURNS	FOSTER	KING	SAWYER	WILBOR
CASE	GALVIN	LANGNER	SEWELL	WILLERS
CHAPPELL	GILBERT	MAPES	SHANLEY	WILLIAMS
CONVERSE	GRIGGS	MATTISON	SKINNER	WILLIS
CORMACK	HALLIDAY	MEKEEL	SUTHERLAND	WINCH
COSAD	HAVENS	S. V. R. MILLER	E. TAYLOR	WORTH
CRAWFORD	HENRY			

Those who voted in the negative, were

HAMILTON	PRESCOTT
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to authorize the trustees of Emily L. Shepard to convey lands in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 92.

NOES 1.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HOLAHAN	NORTH	SHEARD
ALVORD	CROWLEY	HOLBROOK	NOYES	SHELDON
ANDREWS	CURRAN	HOYT	PALMER	STORY
ASTOR	DALY	HURD	PARKER	SUTHERLAND
BAKER	DAY	JONES	PATTENGILL	E. TAYLOR
BATHE	DEYOE	KEATOR	DEWITT C. PECK	THAIN
BERGEN	DOUGLASS	KELLOGG	PEEK	THOMSON
BERRIGAN	DUELL	KING	PIPER	TOWNSLEY
BERRY	FISH	LOVELAND	POOL	VALENTINE
BOUCK	FLOYD-JONES	LOWING	PRESCOTT	WADSWORTH
BROWNING	FOSTER	MATTISON	PURDY	WAKELY
BRUNDAGE	GALVIN	MEAD	REYNOLDS	WARING
BURNS	GILBERT	MEKEEL	ROBERTS	WHEELER
CASE	GRIGGS	S. V. R. MILLER	ROWLAND	WILBOR
CHAPPELL	HALLIDAY	MEYENBERG	SAWYER	WILLIAMS
CLANCY	HAMILTON	NEILSON	SEARING	WILLIS
CLARK	HAVENS	NELSON	SEWELL	WINCH
CONVERSE	I. I. HAYES	NIVEN	SHANLEY	WORTH
CRANDALL	HOBBIE			

For the negative,

SKINNER

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to further amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847, so far as the same applies to Cypress Hill Cemetery, in Kings county."

"An act for the better protection of the mechanics of this State by regulating the use of convict labor in the several prisons of the State, and for other purposes."

"An act regulating the rate of compensation to be paid to railroad companies for the transporting of milk."

"An act to create a board of charities in the several counties of this State."

"An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs.'"

"An act to regulate the sale of ale, beer, lager beer and other fermented liquors."

"An act to authorize the city of Buffalo to borrow two thousand dollars to purchase land for reservoir for the Jubilee water works in said city."

"An act to authorize the county clerk of Cattaraugus county to make and to certify to copies of the surveys and maps of the Allegany reservation, as made by United States commissioners."

"An act to authorize the electors of the town of Greenburgh, residing within the village of White Plains, to vote for commissioners of highways of the town of Greenburgh, in the county of Westchester."

The Senate bill entitled "An act to further amend chapter 126 of the Laws of 1824, entitled 'An act to incorporate the Society for the Reformation of Juvenile Delinquents in the city of New York,' passed March 29, 1824, as amended by chapter 241 of the Laws of 1860, passed April 10, 1860," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 3.

Those who voted in the affirmative, were

ALVORD	CRANDALL	HURD	CICERO C. PECK	TERRY
ANDREWS	DAY	JONES	DEWITT C. PECK	THAIN
ASTOR	DEYOE	KEEGAN	PIPER	THOMSON
BAKER	DOUGLASS	KELLOGG	PRESCOTT	TOWNSLEY
BATHE	DUELL	LOWING	REYNOLDS	VALENTINE
BEARD	FISH	MATTISON	ROWLAND	WADSWORTH
BERRY	FLOYD-JONES	MCDONOUGH	SAWYER	WAKELY
BROOKS	FLYNN	MEKEEL	SEARING	WARING
BROWNING	GRIGGS	S. V. R. MILLER	SEWELL	WHEELER
CASE	HALLIDAY	MOLLER	SHANLEY	WILBOR
CHAPPELL	HAMILTON	NIVEN	SHEARD	WILLERS
CHASE	I. I. HAYES	NORTH	SHELDON	WILLIAMS
CLANCY	HENRY	NOYES	SKINNER	WILLIS
CLARK	HOBBIE	PALMER	SLITER	WINCH
CONVERSE	HOYT	PARKER	SUTHERLAND	WORTH
CORMACK	HULME	PATTENGILL	E. TAYLOR	

Those who voted in the negative, were

GALVIN	HOLAHAN	PURDY
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the following bill, with a message that they had concurred in the passage of the same :

"An act in relation to the assessment for the repavement of Atlantic avenue with granite pavement in the city of Brooklyn."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate bill entitled "An act for the relief of George W. Spencer, late clerk of the county of Yates," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 97.

NOES 00.

Those who voted in the affirmative, were

ALVORD	DALY	HOLAHAN	NORTH	SKINNER
ANDREWS	DAY	HOYT	NOYES	SLITER
BAKER	DEYOE	HULME	PALMER	STRACK
BEARD	DOUGLASS	HURD	PARKER	SUTHERLAND
BERGEN	DUELL	JONES	PATTENGILL	E. TAYLOR
BROOKS	FISH	KEATOR	PATTERSON	TERRY
BROWNING	FITZGERALD	KEEGAN	CICERO C. PECK	THOMSON
BRUNDAGE	FLOYD-JONES	KELLOGG	DEWITT C. PECK	TOWNSLEY
BURNS	FLYNN	KING	PEEK	VALENTINE
CASE	FOSTER	LANGNER	PIPER	WADSWORTH
CHAPPELL	FRANK	LOWING	PRESCOTT	WAKELY
CHASE	GALVIN	MAPES	PURDY	WARING
CLANCY	GILBERT	MATTISON	ROBERTS	WHEELER
CLARK	GRIGGS	MEKEEL	SAWYER	WILBOR
CONVERSE	HALLIDAY	S. V. R. MILLER	SEARING	WILLERS
CORMACK	HAMILTON	MOLLER	SEWELL	WILLIAMS
CRANDALL	HAVENS	NEILSON	SHANLEY	WILLIS
CRAWFORD	I. I. HAYES	NELSON	SHEARD	WINCH
CROWLEY	J. HAYES	NIVEN	SHELDON	WORTH
CURRAN	HOBBIE			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to provide for the adjustment and payment of unpaid taxes due the county of Westchester by the towns of West Farms, Morrisania, and Kingsbridge, lately annexed to the city and county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CONVERSE	I. I. HAYES	NIVEN	STRACK
ALVORD	CORMACK	HOBBIE	NORTH	SUTHERLAND
ANDREWS	COSAD	HOYT	NOYES	E. TAYLOR
ASTOR	CRANDALL	HULME	PALMER	TERRY
BAKER	CURRAN	HURD	PATTENGILL	THAIN
BATHE	DALY	JONES	DEWITT C. PECK	THOMSON
BEARD	DAY	KING	PEEK	TOWNSLEY
BERGEN	DOUGLASS	LANGNER	REYNOLDS	VALENTINE
BERRIGAN	FISH	LOVELAND	ROBERTS	WADSWORTH
BERRY	FITZGERALD	LOWING	ROWLAND	WARING
BROWNING	FLOYD-JONES	MATTISON	SAWYER	WHEELER
BRUNDAGE	FLYNN	MEKEEL	SEARING	WILBOR
BURNS	GILBERT	S. V. R. MILLER	SHANLEY	WILLERS
CASE	GRIGGS	MOLLER	SHEARD	WILLIAMS
CHAPPELL	HALLIDAY	NEILSON	SHELDON	WINCH
CHASE	HAMILTON	NELSON	SKINNER	WORTH
CLARK				

Ordered, That the Clerk return said bill to the Senate, with a message, informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act for the relief of corporations formed under chapter 40 of the Laws of 1848, and acts amendatory thereof, in omitting to file either of the certificates required by the first section of said chapter," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 83. NOES 00.

Those who voted in the affirmative, were

ALLEN	DUELL	HURD	CICERO C. PECK	SKINNER
ALVORD	FISH	JONES	DEWITT C. PECK	SUTHERLAND
ANDREWS	FITZGERALD	KELLOGG	PEEK	E. TAYLOR
ASTOR	FLOYD-JONES	KING	PIPER	THAIN
BATHE	FLYNN	LANGNER	PRESCOTT	THOMSON
BEARD	FOSTER	LOVELAND	PURDY	VALENTINE
BERGEN	GILBERT	LOWING	REYNOLDS	WADSWORTH
BERRIGAN	GRIGGS	MCDONOUGH	ROBERTS	WAKELY
BROWNING	HALLIDAY	MEAD	ROWLAND	WARING
BURNS	HAMILTON	S. V. R. MILLER	SAWYER	WHEELER
CASE	HAVENS	MOLLER	SEARING	WILBOR
CRANDALL	I. I. HAYES	NIVEN	SEEBACHER	WILLERS
CROWLEY	HEPBURN	NORTH	SEWELL	WILLIAMS
CURRAN	HOBBIE	NOYES	SHANLEY	WILLIS
DALY	HOLAHAN	PALMER	SHEARD	WINCH
DAY	HOYT	PATTENGILL	SHELDON	WORTH
DOUGLASS	HULME	PATTERSON		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act regulating the rate of compensation to be paid to railroad companies for the transporting of milk," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81. NOES 11.

Those who voted in the affirmative, were

ALLEN	CORMACK	GRIGGS	MEAD	SHANLEY
ANDREWS	COSAD	HALLIDAY	MEKEEL	SHEARD
ASTOR	CRANDALL	HAMILTON	MOLLER	SHELDON
BATHE	CROWLEY	HENRY	MEYENBORG	SKINNER
BEARD	CURRAN	HOBBIE	NIVEN	SLITER
BERGEN	DALY	HOLAHAN	NORTH	STRACK
BERRIGAN	DAY	HURD	NOYES	THAIN
BERRY	DOUGLASS	JONES	PATTENGILL	THOMSON
BROOKS	DUELL	KEEGAN	PATTERSON	VALENTINE
BROWNING	FISH	KELLOGG	CICERO C. PECK	WADSWORTH
BRUNDAGE	FITZGERALD	KING	PIPER	WARING
BURNS	FLOYD-JONES	LANGNER	PURDY	WHEELER
CASE	FLYNN	LOVELAND	ROWLAND	WILBOR
CHAPPELL	FRANK	LOWING	SAWYER	WILLERS
CHASE	GALVIN	MAPES	SEEBACHER	WILLIAMS
CLANCY	GILBERT	MCDONOUGH	SEWELL	WORTH
CONVERSE				

Those who voted in the negative, were

ALVORD	HOYT	PALMER	PEEK	ROBERTS
BAKER	S. V. R. MILLER	DEWITT C. PECK	PRESCOTT	TOWNSLEY
I. I. HAYES				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill entitled as follows:

"An act to amend title 7 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown,' " which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Skinner, and by unanimous consent, said bill was ordered to a third reading.

The Senate bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows: ;

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CROWLEY	HOYT	PALMER	SUTHERLAND
ALVORD	CURRAN	HULME	PRESCOTT	E. TAYLOR
ANDREWS	DALY	JONES	PURDY	THOMSON
BERRIGAN	DAY	KEATOR	REYNOLDS	VALENTINE
BERRY	DOUGLASS	KELLOGG	ROBERTS	WADSWORTH
BOUCK	DELL	KING	ROWLAND	WAKELY
BROOKS	FISH	LOVELAND	SAWYER	WARING
BROWNING	FLOYD-JONES	MATTISON	SEARING	WEMPLE
CASE	FOSTER	MCDONOUGH	SEEBACHER	WHEELER
CHAPPELL	GALVIN	MEKEEL	SEWELL	WILBOR
CHASE	GRIGGS	S. V. R. MILLER	SHANLEY	WILLERS
CLARK	HALLIDAY	MOLLER	SHEARD	WILLIAMS
CONVERSE	HAMILTON	NELSON	SKINNER	WILMS
CORMACK	HAVENS	NIVEN	SLITER	WINCH
COSAD	I. I. HAYES	NORTH	STRACK	WORTH
CRAWFORD	HOBBIE	NOYES		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Williams in the chair.

The bill entitled "An act to further amend the act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," having been announced for a third reading,

Mr. Flynn moved that said bill be recommitted to the committee of the whole.

Mr. Nelson moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Flynn, and it was determined in the affirmative.

The bill entitled "An act for the better protection of the mechanics of this State, by regulating the use of convict labor in the several prisons of the State, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 44.

NOES 53.

Those who voted in the affirmative, were

ALLEN	CONVERSE	FRANK	HOYT	PROPER
BAKER	CROWLEY	GALVIN	JONES	PURDY
BATHE	CURRAN	GRADY	LANGNER	SEEBACHER

BEARD	DALY	HAMILTON	MAPES	SHANLEY
BERGEN	DAY	I. I. HAYES	MCDONOUGH	SLITER
BERRIGAN	DOUGLASS	J. HAYES	MEAD	STRACK
BROWNING	FITZGERALD	HENRY	MOLLER	THAIN
BURNS	FLYNN	HOLAHAN	MEYENBORG	WORTH
CLANCY	FOSTER	HOLBROOK	NELSON	

Those who voted in the negative, were

ALVORD	GILBERT	NORTH	ROBERTS	TERRY
ANDREWS	GRIGGS	NOYES	ROWLAND	THOMSON
ASTOR	HALLIDAY	PALMER	SAWYER	TOWNSLEY
BRUNDAGE	HAVENS	PARKER	SEWELL	VALENTINE
CASE	HULME	PATTENGILL	SHEARD	WADSWORTH
CHASE	KEEGAN	CICERO C. PECK	SHELDON	WAKELY
CORMACK	KING	DEWITT C. PECK	SKINNER	WARING
COSAD	LOWING	PEEK	STORY	WILBOR
CRANDALL	MEKEEL	PIPER	SUTHERLAND	WILLIS
DEYOE	S. V. R. MILLER	PRESCOTT	E. TAYLOR	WINCH
FLOYD-JONES	NIVEN	REYNOLDS		

The bill entitled "An act to authorize the board of estimate and apportionment of the city of New York to acquire title to portions of Ward's Island, and the water rights surrounding the same not now belonging to the said city," having been announced for a third reading,

Mr. I. I. Hayes moved that said bill be recommitted to the committee on affairs of cities, with instructions to report forthwith amended as follows :

Add, at the end of section 1, the words "but no power is herein conferred to purchase any land lying in front of lands now belonging to the Commissioners of Emigration for the State below high-water mark."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, reported back said bill amended as instructed.

Said bill was then read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 70.

NOES 11.

Those who voted in the affirmative, were

ALLEN	CLARK	GRIGGS	MEAD	SHANLEY
ALVORD	CONVERSE	I. I. HAYES	MEKEEL	SHELDON
ANDREWS	COSAD	HENRY	MOLLER	STORY
BAKER	CRAWFORD	HOLAHAN	MEYENBORG	STRACK
BATHE	CROWLEY	HOYT	NIVEN	SUTHERLAND
BEARD	CURRAN	HULME	NORTH	E. TAYLOR
BERGEN	DEYOE	JONES	NOYES	TERRY
BERRIGAN	DOUGLASS	KEEGAN	CICERO C. PECK	THAIN
BERRY	FLOYD-JONES	KELLOGG	PEEK	THOMSON
BROOKS	FOSTER	KING	PIPER	VALENTINE
BROWNING	FRANK	LANGNER	PROPER	WILBOR
BRUNDAGE	GALVIN	LOVELAND	PURDY	WILLIAMS
BURNS	GILBERT	MAPES	SEARING	WILLIS
CLANCY	GRADY	MCDONOUGH	SEEBACHER	WINCH

Those who voted in the negative, were

ASTOR	DALY	FLYNN	PRESCOTT	WARING
CASE	FITZGERALD	DEWITT C. PECK	SKINNER	WILLERS
CORMACK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker and the Clerk, with the consent of the Assembly, referred the following entitled bills to the sub-committee of the whole :

“An act amending the Code of Civil Procedure.”

“An act to amend chapter 465 of the Laws of 1875, entitled ‘An act to require the payment of certain premiums to the fire department of cities and incorporated villages by fire insurance companies not organized under the Laws of the State of New York, but doing business therein,’ passed May 28, 1875.”

The Senate sent for concurrence the following entitled bill :

“An act relating to the Ladies’ Deborah Nursery and Childs’ Protectors of the city of New York,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Floyd-Jones moved that this House do now take a recess.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 1 o’clock and 45 minutes, the House took a recess until 4 o’clock and 30 minutes, P. M.

HALF-PAST FOUR O’CLOCK, P. M.

The House again met.

Mr. Bergen moved that the vote by which Assembly bill entitled “An act regulating the rate of compensation to be paid to railroad companies for the transporting of milk,” was passed be reconsidered, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Pomeroy, Int. No. 251, entitled “An act to amend chapter 7 of the Laws of 1848, entitled ‘An act to authorize the formation of gas-light companies, and also to amend the title of said act,’” reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Fish, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Fish moved that the committee of the whole be discharged from the further consideration of Assembly bill entitled “An act to authorize the appointment of clerk of the coroners of the county of Kings,” and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Berry, from the sub-committee of the whole, presented a report from said committee ; which was laid upon the table and ordered printed.

(See Doc. No. 137.)

The bill entitled “An act to create a board of charities in the several counties of this State,” having been announced for a third reading,

Mr. Alvord moved that said bill be recommitted to the committee on internal affairs, with instructions to make it only applicable to the county of Oneida, retaining its place on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" having been announced for a third reading,

Mr. Thain moved to recommit said bill to the committee on affairs of cities, with instructions to strike out the enacting clause.

Mr. Duell moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Thain, and it was determined in the negative, as follows:

AYES 19.

NOES 50.

Those who voted in the affirmative, were

BERRIGAN	CURRAN	JONES	PATTERSON	THAIN
BROOKS	FRANK	LOVELAND	ROBERTS	THOMSON
BURNS	GALVIN	MCDONOUGH	SEARING	TOWNSLEY
CORMACK	GRADY	MEYENBORG	SEEBACHER	

Those who voted in the negative, were

ALVORD	DALY	HURD	DEWITT C. PECK	E. TAYLOR
ANDREWS	DUELL	KELLOGG	PRESCOTT	TERRY
ASTOR	FISH	KING	PURDY	VALENTINE
BEARD	FITZGERALD	MATTISON	REYNOLDS	WADSWORTH
BRUNDAGE	FLOYD-JONES	MOLLER	ROWLAND	WARING
CASE	FLYNN	NELSON	SHEARD	WEMPLE
CHAPPELL	I. I. HAYES	NOYES	SHELDON	WHEELER
CHASE	J. HAYES	PALMER	SKINNER	WILLERS
CLANCY	HOBBIE	PARKER	STRACK	WILLIS
CLARK	HOLBROOK	CICERO C. PECK	SUTHERLAND	WINCH

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 71.

NOES 25.

Those who voted in the affirmative, were

ALVORD	FISH	KELLOGG	PARKER	E. TAYLOR
ANDREWS	FITZGERALD	KING	PATTENGILL	TERRY
ASTOR	FLYNN	LOWING	CICERO C. PECK	VALENTINE
BEARD	GILBERT	MAPES	DEWITT C. PECK	WADSWORTH
BERRY	GRIGGS	MATTISON	PEEK	WAKELY
BRUNDAGE	HALLIDAY	MEAD	PRESCOTT	WARING
CASE	HAMILTON	MEKEEL	PROPER	WEMPLE
CHASE	J. HAYES	S. V. R. MILLER	PURDY	WHEELER
CLANCY	HOBBIE	MOLLER	REYNOLDS	WILBOR
CLARK	HOLBROOK	NELSON	SHEARD	WILLERS
CRANDALL	HOYT	NIVEN	SHELDON	WILLIAMS
CROWLEY	HULME	NORTH	SKINNER	WILLIS
DALY	HURD	NOYES	STRACK	WORTH
DEYOE	JONES	PALMER	SUTHERLAND	SPEAKER
DUELL				

Those who voted in the negative, were

BAKER	BROWNING	FRANK	KEEGAN	SEARING
BATHE	CORMACK	GALVIN	LOVELAND	SEEBACHER
BERGEN	CRAWFORD	GRADY	MCDONOUGH	THAIN
BERRIGAN	DOUGLASS	HAVENS	PATTERSON	THOMSON
BOUCK	FLOYD-JONES	HOLAHAN	ROBERTS	TOWNSLEY

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The privileges of the floor were granted to Hon. John T. Hogeboom, Hon. Wiley Travis, and Hon. Mr. Millspaugh.

By unanimous consent,

Mr. Valentine, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Jacobs, Int. No. 246, entitled "An act for the preservation of the public peace, the protection of private property, and the maintenance of law and good order in the town of Flatbush, in Kings county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Valentine, from the committee on internal affairs, reported back Assembly bill entitled "An act to create a board of charities in the county of Oneida," amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 78.

NOES 5.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HAVENS	DEWITT C. PECK	THAIN
ANDREWS	CROWLEY	HOLAHAN	PEEK	THOMSON
ASTOR	CURRAN	HOYT	PRESCOTT	TOWNSLEY
BAKER	DALY	HURD	PROPER	VALENTINE
BERRY	DAY	LANGNER	REYNOLDS	WADSWORTH
BOUCK	DEYOE	LOWING	SAWYER	WAKELY
BROWNING	DOUGLASS	MATTISON	SEWELL	WARING
BRUNDAGE	DUELL	MCDONOUGH	SHEARD	WEMPLE
BURNS	FISH	MEKEEL	SHELDON	WHEELER
CASE	FITZGERALD	NIVEN	SKINNER	WILBOR
CHASE	FLYNN	NORTH	SLITER	WILLERS
CLARK	FOSTER	NOYES	STRACK	WILLIAMS
CONVERSE	GALVIN	PALMER	SUTHERLAND	WILLIS
CORMACK	GRIGGS	PARKER	E. TAYLOR	WINCH
COSAD	HALLIDAY	PATTENGILL	TERRY	WORTH
CRANDALL	HAMILTON	PATTERSON		

Those who voted in the negative, were

ALVORD	BEARD	HOBBIE	JONES	MAPES
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to amend section 9, chapter 90 of the Laws of 1869, entitled 'An act to provide for improvement of the navigation of the Racket river and of the hydraulic power thereon, and to check freshets therein,'" with a message that they have assented to a committee of conference on said bill, and have appointed as such committee Messrs. Lynde, Turner, and Hughes.

The bill entitled "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks, or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRANDALL	HOYT	PEEK	E. TAYLOR
ALVORD	CRAWFORD	HULME	PIPER	TERRY
ANDREWS	DALY	HURD	PRESCOTT	THAIN
ASTOR	DAY	JONES	REYNOLDS	THOMSON
BEARD	DEYOE	KING	ROWLAND	VALENTINE
BERRY	DOUGLASS	LANGNER	SAWYER	WADSWORTH
BOUCK	DUELL	LOVELAND	SEARING	WAKELY
BROOKS	FISH	LOWING	SEEBACHER	WARING
BROWNING	FLOYD-JONES	S. V. R. MILLER	SEWELL	WEMPLE
BRUNDAGE	FOSTER	MOLLER	SHEARD	WHEELER
BURNS	GALVIN	NIVEN	SHELDON	WILBOR
CASE	GRIGGS	NORTH	SKINNER	WILLIAMS
CHAPPELL	HALLIDAY	NOYES	SLITER	WILLIS
CONVERSE	HAMILTON	PALMER	STRACK	WINCH
CORMACK	HAVENS	PARKER	SUTHERLAND	WORTH
COSAD	HOBBIE	DEWITT C. PECK		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Burns moved to take from the table the motion to reconsider the vote by which Assembly bill entitled "An act for the better security of life from fire in hotels and other buildings," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 71.

NOES 5.

Those who voted in the affirmative, were

ALLEN	CROWLEY	HAVENS	MEYENBORG	SHELDON
BAKER	CURRAN	HOBBIE	NIVEN	SKINNER
BEARD	DOUGLASS	HOLAHAN	NORTH	STRACK
BERGEN	DUELL	HOYT	PATTENGILL	SUTHERLAND
BERRIGAN	FISH	HULME	PATTERSON	E. TAYLOR
BERRY	FITZGERALD	JONES	CICERO C. PECK	THAIN
BROOKS	FLOYD-JONES	KEEGAN	PEEK	WARING
BROWNING	FLYNN	KELLOGG	PRESCOTT	WEMPLE
BRUNDAGE	FOSTER	KING	PROPER	WHEELER
BURNS	GALVIN	LANGNER	PURDY	WILBOR
CASE	GRADY	LOVELAND	ROWLAND	WILLERS
CHASE	GRIGGS	MCDONOUGH	SEEBACHER	WILLIAMS
CONVERSE	HALLIDAY	MEKEEL	SHANLEY	WILLIS
CORMACK	HAMILTON	MOLLER	SHEARD	WORTH
CRANDALL				

Those who voted in the negative, were

ALVORD	ASTOR	COSAD	DEYOE	HURD
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Mr. Burns moved that said bill be recommitted to the committee on trade and manufactures, with instructions to report at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill entitled "An act to facilitate the removal of human remains from burying grounds within the limits of cities," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 74.

NOES 14.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HOLAHAN	NIVEN	SHEARD
ANDREWS	CROWLEY	HOYT	NOYES	SHELDON
ASTOR	DAY	HURD	PALMER	E. TAYLOR
BAKER	DOUGLASS	JONES	PATTERSON	TERRY
BATHE	DUELL	KEEGAN	CICERO C. PECK	THAIN
BERGEN	FLOYD-JONES	KELLOGG	DE WITT C. PECK	TOWNSLEY
BERRIGAN	FRANK	KING	PEEK	VALENTINE
BERRY	GALVIN	LANGNER	PRESCOTT	WADSWORTH
BROOKS	GILBERT	LOVELAND	PROPER	WARING
BROWNING	GRADY	MAPES	PURDY	WEMPLE
BURNS	HALLIDAY	MCDONOUGH	ROBERTS	WILBOR
CASE	HAMILTON	MEKEEL	ROWLAND	WILLIAMS
CONVERSE	J. HAYES	S. V. R. MILLER	SEARING	WINCH
CORMACK	HENRY	MOLLER	SEEBACHER	WORTH
CRANDALL	HOBBIE	MEYENBERG	SHANLEY	

Those who voted in the negative, were

ALVORD	CLARK	HAVENS	SKINNER	WILLERS
BRUNDAGE	COSAD	HOLBROOK	SUTHERLAND	WILLIS
CHASE	FISH	HULME	THOMSON	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" with a message that they have assented to a committee of conference on said bill, and have appointed as such committee Messrs. Oakley, Loomis, and Sessions.

The Senate returned the bill entitled "An act in relation to repaving Hudson avenue, in the city of Albany, New York," with a message that they have assented to a committee of conference on said bill, and have appointed as such committee Messrs. Harris, Ecclesine, and Goebel.

The Senate bill entitled "An act to amend article 3, title 1 of chapter 8, part 2 of the Revised Statutes, entitled 'Of divorces, dissolving the marriage contract,'" having been announced for a third reading,

Mr. Prescott moved that said bill be recommitted to the committee on the judiciary, with instructions to strike out all after the word "complainant," in line 7, printed bill, and report back forthwith.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was decided in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Prescott, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 48.

NOES 57.

Those who voted in the affirmative, were

ALLEN	CLANCY	FRANK	S. V. R. MILLER	PROPER
ALVORD	COSAD	GALVIN	MOLLER	PURDY
BAKER	CRANDALL	HAVENS	MEYENBORG	SEARING
BATHE	CRAWFORD	I. I. HAYES	NELSON	SEWELL
BEARD	CROWLEY	HENRY	NIVEN	SHANLEY
BERGEN	CURRAN	HOLAHAN	PARKER	THAIN
BERRIGAN	DAY	HULME	PATTENGILL	WADSWORTH
BROWNING	DOUGLASS	JONES	PATTERSON	WEMPLE
BURNS	DUELL	KELLOGG	PEEK	WORTH
CHASE	FLOYD-JONES	MCDONOUGH		

Those who voted in the negative, were

ANDREWS	FLYNN	KING	DEWITT C. PECK	THOMSON
ASTOR	FOSTER	LOVELAND	PRESCOTT	TOWNSLEY
BOUCK	GILBERT	LOWING	REYNOLDS	VALENTINE
BROOKS	GRADY	MAPES	ROWLAND	WAKELY
BRUNDAGE	GRIGGS	MATTISON	SHEARD	WARING
CASE	HALLIDAY	MEAD	SHELDON	WHEELER
CLARK	HAMILTON	MEKEEL	SKINNER	WILBOR
CONVERSE	J. HAYES	NORTH	STRACK	WILLERS
DALY	HOBBIE	NOYES	SUTHERLAND	WILLIAMS
DEYOE	HOLBROOK	PALMER	E. TAYLOR	WILLIS
FISH	HURD	CICERO C. PECK	TERRY	WINCH
FITZGERALD	KEEGAN			

When the name of Mr. Roberts was called, he stated that he was paired with Mr. Berry.

The Senate bill entitled "An act to amend chapter 37 of the Laws of 1848, entitled 'An act to authorize the formation of gas-light companies, and also to amend the title of said act,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CURRAN	HOLAHAN	PATTERSON	E. TAYLOR
ALVORD	DALY	HOLBROOK	CICERO C. PECK	TERRY
ANDREWS	DAY	HOYT	DEWITT C. PECK	THAIN
ASTOR	DEYOE	HULME	PRESCOTT	THOMSON
BAKER	DOUGLASS	HURD	PURDY	TOWNSLEY
BATHE	DUELL	JONES	REYNOLDS	VALENTINE
BOUCK	FISH	KEEGAN	ROBERTS	WADSWORTH
BROOKS	FLOYD-JONES	KING	ROWLAND	WARING
BRUNDAGE	FLYNN	LANGNER	SAWYER	WEMPLE
CASE	GALVIN	LOVELAND	SEARING	WHEELER
CHAPPELL	GILBERT	LOWING	SEWELL	WILBOR
CLANCY	GRIGGS	MEAD	SHANLEY	WILLERS
CONVERSE	HALLIDAY	MEYENBORG	SHEARD	WILLIAMS
CRANDALL	HAMILTON	NELSON	SHELDON	WILLIS
CRAWFORD	HAVENS	NORTH	SKINNER	WINCH
CROWLEY	HOBBIE	NOYES	SUTHERLAND	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Alvord moved that this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 6 o'clock and 25 minutes, the House adjourned.

FRIDAY, MAY 10, 1878.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Speaker introduced a bill entitled "An act to enable James Fyfe Jamieson to take, hold, and dispose of real estate," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, said bill was ordered to a third reading.

Mr. Alvord in the chair.

Mr. Berry called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

Senate, G. O. 601, No. 111, "An act in reference to a site for an additional State prison."

G. O. 661, No. 547, "An act in relation to the adoption of children." [With amendments.]

G. O. 568, No. 544, "An act granting additional powers to courts of records."

G. O. 676, No. 552, "An act for the relief of John Hogan and to authorize the Comptroller of the city of New York to pay the amount which may be found due from said city to said Hogan, for granite furnished for a bridge in said city."

Senate, G. O. 704, No. 219, "An act to authorize the county clerk of Kings county to arrange, assort and repair all judgments, decrees, orders and other papers filed or deposited in Kings county clerk's office, and to record and certify mutilated or injured writings affecting the title to real estate in said county, and providing compensation for his services in that respect." [With amendments.]

Senate, G. O. —, No. 257, "An act to regulate the use of certain docks in the city of Albany."

G. O. 677, No. 553, "An act to provide for the proper lighting of the structures of the elevated railways in the city of New York."

Senate, G. O. 612, No. 86, "An act in relation to trust companies and certain other moneyed corporations."

G. O. 565, No. 493, "An act to repeal so much of section 1 of chapter 833 of the Laws of 1871, as provides for the opening of part of north Thirteenth street in the city of Brooklyn without the consent of the property owners." [With an amendment.]

Senate G. O. 690, No. 194, "An act to amend chapter 466 of the Laws of 1877, entitled 'An act in relation to assignments of the estates of debtors for the benefit of creditors.'" [With amendments.]

G. O. 711, No. 569, "An act in relation to suits brought to remove clouds upon title of real estate."

G. O. 686, No. 557, "An act to provide for the records of boards of supervisors and the preservation of the same in county clerk's office." [With amendments.]

Senate, G. O. 682, No. 276, "An act to facilitate the discharge of debtors imprisoned by virtue of executions in civil cases."

Senate, G. O. 705, No. 235, "An act relating to powers of attorney by married women."

G. O. 731, No. —, "An act to amend chapter 417 of the Laws of 1877, 'An act to repeal certain acts and parts of acts.'"

Senate, G. O. 697, No. 255, "An act in relation to the non-resident highway tax in the town of Thurman, in the county of Warren."

Senate, G. O. 700, No. 156, "An act to incorporate the Homœopathic medical college of the city of Buffalo."

G. O. 499, No. 443, "An act to provide for building of a town-house in the town of Sparta, in the county of Livingston."

Senate, G. O. 712, No. 143, "An act to authorize corporations organized under the laws of this State to reduce their capital stock."

Senate, G. O. 665, No. 33, "An act to amend section 52 of article 3, title 1, chapter 6, part 2 of the Revised Statutes, providing that devises and bequests in certain cases shall not lapse."

G. O. 721, No. 572, "An act to amend chapter 426 of the Laws of 1847, as re-enacted by section 32 of chapter 628 of the Laws of 1874."

Senate, G. O. 683, No. 256, "An act to amend chapter 416 of the Laws of 1877, entitled 'An act relating to courts, officers of justice and civil proceedings.'"

Senate, G. O. 681, No. 252, "An act to amend article 3, title 4, chapter 2 of part 4 of the Revised Statutes, entitled 'Of the removal of indictments before trial or judgment.'"

G. O. 559, No. 489, "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying a public road and the alteration thereof.'"

Senate, G. O. 713, No. 267, "An act to make effectual judicial decrees against unknown persons."

The question being on agreeing to said report,

Mr. Speaker put the question whether the House would agree to said report, excepting so far as relates to Assembly bill entitled "An act to repeal so much of section 1 of chapter 833 of the Laws of 1871, as provides for the opening of part of North Thirteenth street, in the city of Brooklyn, without the consent of the property owners," and it was determined in the affirmative, and said bills were ordered engrossed, and to a third reading.

Mr. Grady moved that said Assembly bill above excepted be recommitted to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Berry called from the table the report of the sub-committee of the whole as far as relates to Senate bill No. 196, entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

The report of the sub-committee of the whole was agreed to, and said bill ordered to a third reading.

Mr. Berry also called from the table the report of the sub-committee of the whole so far as relates to Assembly bill No. 520, entitled "An act in relation to elections in the city of Albany, and to provide for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage thereat."

The report of the sub-committee of the whole was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent,

Mr. Berry offered, for the consideration of the House, a resolution in the words following :

Resolved, That Senate bill No. 164, entitled "An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend an act entitled An act to incorporate the village of Bath, in the county of Steuben,'" do now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86. NOES 00.

Those who voted in the affirmative, were

ALVORD	CURRAN	HOLAHAN	NORTH	SEEBACHER
ANDREWS	DALY	HOYT	PALMER	SHEARD
ASTOR	DEYOE	HULME	PARKER	SHELDON
BERGEN	DUELL	JONES	PATTENGILL	SKINNER
BERRIGAN	FISH	KING	PATTERSON	SLITER
BERRY	FITZGERALD	LANGNER	CICERO C. PECK	E. TAYLOR
BROOKS	FLOYD-JONES	LOVELAND	DEWITT C. PECK	J. T. TAYLOR
BROWNING	FLYNN	MAPES	PEEK	THOMSON
BRUNDAGE	GALVIN	MCDONOUGH	PIPER	TOWNSLEY
CASE	GRADY	MEAD	POOL	VALENTINE
CHASE	GRIGGS	MEKEEL	PRESCOTT	WAKELY
CLAPP	HALLIDAY	J. H. MILLER	PROPER	WILBOR
CLARK	HAMILTON	S. V. R. MILLER	PURDY	WILLERS
CONVERSE	HAVENS	MOOERS	REYNOLDS	WILLIAMS
CORMACK	J. HAYES	MEYENBORG	ROBERTS	WILLIS
CRANDALL	HEPBURN	NEILSON	ROWLAND	WINCH
CRAWFORD	HOBBIE	NIVEN	SEARING	WORTH
CROWLEY				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Allen offered, for the consideration of the House, a resolution in the words following :

Resolved, That when this House adjourns to-day, it adjourn to meet on Monday next, the 13th instant, at half-past seven o'clock, P. M.

Mr. Brooks moved to amend said resolution by striking out all after the word "adjourn," and inserting in lieu thereof the words "to meet again on Monday afternoon, at four o'clock."

Mr. Holahan moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put ?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Brooks, and it was determined in the negative, as follows :

AYES 52. NOES 63.

Those who voted in the affirmative, were

BAKER	CRAWFORD	GRADY	MAPES	PROPER
BATHE	CROWLEY	HAMILTON	MCDONOUGH	PURDY
BEARD	DAY	I. I. HAYES	MEAD	SEARING

BERGEN	DOUGLASS	J. HAYES	MEKEEL	SEEBACHER
BERRIGAN	DUELL	HENRY	MEYENBORG	SHANLEY
BOUCK	FISH	HOLAHAN	NELSON	SLITER
BROOKS	FITZGERALD	JONES	NIVEN	STORY
BROWNING	FLOYD-JONES	KEEGAN	PARKER	STRACK
BURNS	FLYNN	LANGNER	PATTENGILL	J. T. TAYLOR
CLANCY	FRANK	LOVELAND	PATTERSON	THAIN
CORMACK	GALVIN			

Those who voted in the negative, were

ALLEN	CRANDALL	HURD	PEEK	TERRY
ALVORD	CURRAN	KELLOGG	PIPER	THOMSON
ANDREWS	DALY	KING	POOL	TOWNSLEY
ASTOR	DEYOE	LOWING	PRESCOTT	VALENTINE
BERRY	GILBERT	MATTISON	REYNOLDS	WAKELY
BRUNDAGE	GRIGGS	J. H. MILLER	ROBERTS	WARING
CASE	HALLIDAY	S. V. R. MILLER	ROWLAND	WILBOR
CHAPPELL	HAVENS	MOLLER	SHEARD	WILLERS
CHASE	HEPBURN	MOOERS	SHELDON	WILLIAMS
CLAPP	HOBBIE	NORTH	SKINNER	WILLIS
CLARK	HOLBROOK	PALMER	SUTHERLAND	WINCH
CONVERSE	HOYT	CICERO C. PECK	E. TAYLOR	WORTH
COSAD	HULME	DEWITT C. PECK		

Mr. Speaker then put the question whether the House would agree to said resolution of Mr. Allen, and it was determined in the affirmative.

Mr. Worth gave notice that he would, on some future day, move to suspend the rules 37, 41, 42 and 43, so that the Assembly bill entitled "An act to make provisions for expense of local government of the city of New York," may then have its third reading.

By unanimous consent,

Mr. Nelson, from the committee on general laws, to which was referred the bill introduced by Mr. Goebel, Int. No. 334, entitled "An act relating to the Ladies' Deborah Nursery and Child's Protectory of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Nelson, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Nelson, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Goebel, Int. No. 441, entitled "An act to amend chapter 168 of the Laws of 1864, entitled 'An act to incorporate the Musical Mutual Protective Union,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Nelson, and by unanimous consent, said bill was ordered to a third reading.

The bill entitled "An act to regulate the sale of ale, beer, lager beer and other fermented liquors," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 73.

NOES 18.

Those who voted in the affirmative, were

ALLEN	CURRAN	J. HAYES	MOOERS	SHEARD
BAKER	DAY	HENRY	NELSON	SHELDON
BATHE	DEYOE	HOBBIE	NIVEN	SKINNER
BEARD	DOUGLASS	HOLAHAN	NORTH	SLITER
BERGEN	FITZGERALD	HOYT	PALMER	STORY

BERRIGAN	FLOYD-JONES	JONES	PATTERSON	STRACK
BROOKS	FLYNN	KEEGAN	CICERO C. PECK	E. TAYLOR
BROWNING	FRANK	KELLOGG	PIPER	THAIN
BURNS	GALVIN	KING	POOL	TOWNSLEY
CLANCY	GRADY	LANGNER	PROPER	VALENTINE
CONVERSE	GRIGGS	MAPES	PURDY	WILBOR
COSAD	HALLIDAY	MCDONOUGH	ROBERTS	WILLERS
CRANDALL	HAMILTON	MEKEEL	SEEBACHER	WINCH
CRAWFORD	HAVENS	J. H. MILLER	SHANLEY	WORTH
CROWLEY	I. I. HAYES	S. V. R. MILLER		

Those who voted in the negative, were

ALVORD	CLARK	HOLBROOK	PARKER	REYNOLDS
ANDREWS	DUELL	HULME	DEWITT C. PECK	WARING
ASTOR	FISH	MATTISON	PRESCOTT	WILLIS
CASE	HEPBURN	MOLLER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill entitled as follows :

'An act to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,' which was read the first time, and by unanimous consent was also read the second time.

Mr. Bergen moved to substitute said Senate bill for Assembly bill on the same subject, now on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Worth, from the committee on conference, to which was referred Senate bill entitled "An act in relation to the term of office of the keeper of the morgue of Kings county," submitted the following report :

The committee of conference appointed by the Senate and Assembly, to which was referred the matter in difference between the two Houses upon the Senate bill entitled "An act in relation to the term of office of the keeper of the morgue in Kings county," having met and duly considered the same, have agreed to recommend that section 1 be amended to read as follows :

"Section 1. The powers, duties, and salary of the officer known as the superintendent of construction and repairs of the county of Kings shall be such as are now fixed and defined by the board of supervisors of said county. The term of office of the superintendent of construction and repairs, of the keeper of the morgue, and of the engineer of the jail of such county, and of their and each of their successors, shall be three years from the date of the last election or appointment of said officers, respectively, by the said board of supervisors."

Amend the title so as to read as follows :

"An act in relation to certain public officers in the county of Kings."
All of which is respectfully submitted.

JOHN C. JACOBS,
HAML. HARRIS,
Senate Committee.

JACOB WORTH,
JOHN SHANLEY,
I. I. HAYES,
JOHN H. BERGEN,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

AYES 90.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CORMACK	HAMILTON	MOOERS	SHANLEY
ALVORD	CRANDALL	I. I. HAYES	MEYENBORG	SHELDON
ASTOR	CROWLEY	HENRY	NELSON	SKINNER
BAKER	CURRAN	HOLAHAN	NORTH	STORY
BATHE	DAY	HOLBROOK	NOYES	STRACK
BERGEN	DEYOE	HOYT	PARKER	SUTHERLAND
BERRY	DOUGLASS	JONES	PATTENGILL	E. TAYLOR
BOUCK	DUELL	KEEGAN	PATTERSON	J. T. TAYLOR
BROOKS	FISH	KING	DEWITT C. PECK	TERRY
BROWNING	FITZGERALD	LANGNER	PEEK	THOMSON
BRUNDAGE	FLOYD-JONES	LOWING	PIPER	TOWNSLEY
BURNS	FLYNN	MAPES	POOL	VALENTINE
CASE	FOSTER	MATTISON	PRESCOTT	WARING
CHAPPELL	FRANK	MEAD	PURDY	WILBOR
CLANCY	GALVIN	MEKEEL	REYNOLDS	WILLERS
CLAPP	GILBERT	J. H. MILLER	ROBERTS	WILLIS
CLARK	GRADY	S. V. R. MILLER	ROWLAND	WINCH
CONVERSE	GRIGGS	MOLLER	SEARING	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the conference committee.

Mr. Gilbert, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act relating to certain indebtedness of the city of New York, and to provide for the payment and cancellation of the same."

"An act to amend chapter 135 of the Laws of 1860, entitled 'An act in relation to district attorneys.'"

"An act supplementary to chapter 29 of the Laws of 1865, in relation to the payment of bounties."

"An act to legalize and confirm the official acts of William Alt, of the city of New York, a notary public."

"An act relating to the publication of notices of sales in foreclosure in the city of New York."

"An act to amend chapter 130, Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,' and the several acts amendatory thereof."

"An act to exempt the lands held by the commissioners for improvements on the Oswegatchie river from taxation."

"An act defining the duties and powers of boards of town auditors."

"An act to authorize the appointment of a clerk by the coroners of the county of Kings."

"An act to enable James Fyfe Jamieson to take, hold and dispose of real estate."

Mr. Graham, from the committee on general laws, to which was recommended the bill introduced by Mr. Bergen, Int. No. 807, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation'" (retaining its place on the order of third reading of bills, and with power to report at any time), reported the same back favorably, which report was agreed to, and said bill ordered to a third reading.

The Senate returned the bill entitled "An act to create a board of park commissioners, and to provide for the care, government, protection, and improvement of the public park known as Ross park, in the city of Binghamton," with a message that they had reconsidered the vote on the final

passage of said bill, and had passed the same as amended by the Assembly.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill entitled "An act to amend chapter 309 of the Laws of 1877, entitled 'An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the 1st day of October, 1877,'" with a message that they had agreed to a report of the committee of conference, in the words following :

The committee of conference, appointed by the Senate and Assembly, to which was referred the matter in difference between the two Houses upon the Assembly bill entitled "An act to amend chapter 309 of the Laws of 1877, entitled 'An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the 1st day of October, 1877,'" having met and duly considered the same, have agreed to recommend that the title to said bill be amended by adding at the end thereof the following: "and making appropriations for dredging the canal basin at Whitehall, and constructing a bridge over the Champlain canal, in the city of Cohoes."

The said committee also recommended that the first section of the bill be amended by adding at the end thereof the following: "For dredging the canal basin at and near the foot of the combined locks at Whitehall, the sum of ten thousand dollars, or so much thereof as may be necessary to be expended under the direction of the Superintendent of Public Works, for the construction of an iron bridge over the Champlain canal, at Ship street, in the city of Cohoes, the sum of three thousand five hundred dollars, or so much thereof as may be necessary to be expended under the direction of the Superintendent of Public Works."

D. McCARTHY,

Ch'n Senate Committee.

GEO. L. TERRY,

D. COSAD,

G. R. SUTHERLAND,

H. B. CONVERSE,

Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ALVORD	DAY	HOYT	NELSON	SHELDON
ASTOR	DEYOE	HULME	NORTH	SKINNER
BAKER	DOUGLASS	HURD	NOYES	SLITER
BERRY	FISH	JONES	PARKER	STORY
BOECK	FITZGERALD	KEEGAN	PATTENGILL	STRACK
BROWNING	FLOYD-JONES	KELLOGG	CICERO C. PECK	SUTHERLAND
BRUNDAGE	GALVIN	KING	DEWITT C. PECK	E. TAYLOR
BURNS	GILBERT	LANGNER	PIPER	J. T. TAYLOR
CHAPPELL	GRADY	LOVELAND	PRESCOTT	TERRY
CHASE	GRIGGS	LOWING	PROPER	THOMSON
CLANCY	HALLIDAY	MATISON	PURDY	TOWNSLEY
CLAPP	HAMILTON	MEKEEL	REYNOLDS	VALENTINE
CORMACK	I. I. HAYES	J. H. MILLER	ROBERTS	WAKELY
CRAWFORD	HENRY	S. V. R. MILLER	SEARING	WARING
CROWLEY	HEPBURN	MOLLER	SEEBACHER	WILBOR
CURRAN	HOLAHAN	MOOERS	SEWELL	WILLERS
DALY	HOLBROOK	MEYENBORG	SHEARD	WORTH

Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the committee of conference.

The Senate returned the bill entitled "An act to facilitate the collection of unpaid taxes in Long Island City," with a message that they had agreed to the report of the committee of conference on said bill in the words following:

The committee of conference appointed by the Senate and Assembly, to which was referred the matter in difference between the two Houses upon the Assembly bill entitled "An act to facilitate the collection of unpaid taxes in Long Island City," having met and duly considered the same, have agreed to recommend that the Assembly do concur in the amendments proposed by the Senate to said bill.

J. M. OAKLEY,
L. S. GOEBEL,
D. McCARTHY,

Senate Committee.

JOHN KEEGAN,
ERASTUS BROOKS,
CHAS. NORTH,
JOHN I. GILBERT,
GEO. L. TERRY,

Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ALVORD	CLARK	HAVENS	MOLLER	SEEBACHER
ANDREWS	CONVERSE	HEPBURN	MOOERS	SHANLEY
ASTOR	CRANDALL	HOLAHAN	MEYENBORG	SHELDON
BAKER	CRAWFORD	HOLBROOK	NEILSON	SKINNER
BATHE	CURRAN	HOYT	NELSON	STORY
BEARD	DALY	HULME	NORTH	SUTHERLAND
BERGEN	DAY	HURD	PALMER	E. TAYLOR
BERRIGAN	DEYOE	JONES	PARKER	TERRY
BERRY	DUELL	KEEGAN	PATENGILL	THAIN
BOUCK	FISH	KELLOGG	CICERO C. PECK	THOMSON
BROOKS	FLOYD-JONES	KING	DEWITT C. PECK	WAKELY
BROWNING	FLYNN	LANGNER	PEEK	WARING
BRUNDAGE	GALVIN	LOWING	PIPER	WILBOR
BURNS	GILBERT	MATTISON	PRESCOTT	WILLERS
CASE	GRADY	MEAD	PROPER	WILLIS
CHAPPELL	GRAHAM	MEKEEL	PURDY	WINCH
CHASE	HALLIDAY	J. H. MILLER	ROWLAND	WORTH
CLAPP	HAMILTON	S. V. R. MILLER	SEARING	

Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the committee of conference thereon.

The Senate returned the bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" with a message that they have agreed to the report of the committee of conference on said bill in the words following:

The committee of conference, appointed by the Senate and Assembly, to which was referred the matter in difference between the two Houses upon the Assembly bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" having met and duly considered the same, have agreed to recommend that the Senate recede from the amendment so far as the same applies to the

county of Wyoming, and that the Assembly do assent to the amendment of the Senate, so far as the same applies to the county of Madison.

J. M. OAKLEY,
J. H. LOOMIS,
LOREN B. SESSIONS,
Senate Committee.

JOHN E. LOWING,
B. GAGE BERRY,
A. E. ANDREWS,
C. BOUCK,
CICERO C. PECK,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 88.

NOES 1.

Those who voted in the affirmative, were

ALLEN	CLARK	HENRY	MOOERS	SEEBACHER
ALVORD	CRANDALL	HOBBIE	MEYENBORG	SHANLEY
ANDREWS	CRAWFORD	HOLAHAN	NIVEN	SHEARD
ASTOR	CURRAN	HOYT	NORTH	SHELDON
BAKER	DALY	HULME	PALMER	SKINNER
BATHE	DAY	HURD	PARKER	STRACK
BEARD	DEYOE	JONES	PATTENGILL	SUTHERLAND
BERGEN	DUELL	KEATOR	CICERO C. PECK	E. TAYLOR
BERRIGAN	FISH	KELLOGG	DEWITT C. PECK	J. T. TAYLOR
BERRY	FLOYD-JONES	KING	PEEK	TERRY
BOUCK	FLYNN	LOVELAND	PIPER	THAIN
BROOKS	FOSTER	LOWING	POOL	THOMSON
BROWNING	GALVIN	MAPES	PRESCOTT	WARING
BRUNDAGE	GRADY	MATTISON	PROPER	WILBOR
BURNS	GRAHAM	MEKEEL	PURDY	WILLIS
CASE	HALLIDAY	J. H. MILLER	ROBERTS	WINCH
CHASE	HAMILTON	S. V. R. MILLER	SEARING	WORTH
CLANCY	I. I. HAYES	MOLLER		

For the negative,

CORMACK

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the committee of conference thereon.

The Senate returned the bill entitled "An act to amend section 9, chapter 90 of the Laws of 1869, entitled 'An act to provide for improvement of the navigation of the Racket river and of the hydraulic power thereon, and to check freshets therein,'" with a message that they had agreed to the report of the committee of conference on said bill in the words following:

The committee of conference appointed by the Senate and Assembly on the question of matter of difference relative to the amendment in Assembly bill No. 468, entitled "An act to amend section 9, chapter 90 of the Laws of 1869, entitled 'An act to provide for improvement of the navigation of the Racket river and of the hydraulic power thereon, and to check freshets therein,'" have instructed their chairman to report that the committee unanimously agreed that the Senate recede in the amendment made to the bill.

D. S. LYNDE,
HENRY E. TURNER,
CHAS. HUGHES,
Senate Committee.

R. S. PALMER,
E. FLOYD-JONES,
C. S. HAVENS,
GEO. F. ROWLAND,
A. C. BRUNDAGE,
Assembly Committee.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled "An act in relation to repaving Hudson avenue, in the city of Albany, New York," with a message that they had agreed to the report of the committee of conference on said bill, in the words following:

To the Legislature:

The committee of conference appointed by the two Houses upon the matters of difference between the two Houses on the Assembly bill, Int. No. 911, entitled "An act in relation to repaving Hudson avenue, in the city of Albany, New York," beg leave respectfully to report that they have met and duly considered such matters of difference, and have agreed to recommend that the Assembly do concur in the amendments to the bill, as adopted in the Senate.

ALBANY, May 9, 1878.

HAMILTON HARRIS,
THOS. C. E. ECCLESINE,
L. S. GOEBEL,
Senate Committee.

GEO. M. BEARD,
HIRAM GRIGGS,
J. N. FOSTER,
JAS. T. STORY,
E. CURRAN (dissenting),
Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 58.

NOES 18.

Those who voted in the affirmative, were

ALLEN	BRUNDAGE	FLOYD-JONES	MEKEEL	REYNOLDS
ANDREWS	CASE	FOSTER	J. H. MILLER	ROWLAND
ASTOR	CHAPPELL	GRADY	S. V. R. MILLER	SHANLEY
BAKER	CHASE	GRAHAM	MOLLER	SHELDON
BATHE	CLAPP	HAMILTON	MOOERS	SKINNER
BEARD	CLARK	HOBBIE	NORTH	STORY
BERGEN	CONVERSE	HOLBROOK	PARKER	J. T. TAYLOR
BERRIGAN	CRANDALL	HOYT	PEEK	THAIN
BERRY	CRAWFORD	JONES	PIPER	WAKELY
BOUCK	DEYOE	KING	PRESCOTT	WILBOR
BROOKS	DUELL	LANGNER	PROPER	WILLIS
BROWNING	FISH	MATTISON		

Those who voted in the negative, were

BURNS	GALVIN	PALMER	ROBERTS	SLITER
CORMACK	HALLIDAY	PATTERSON	SEARING	THOMSON
CURRAN	HAVENS	CICERO C. PECK	SHEARD	WILLERS
DAY	J. HAYES	DeWITT C. PECK		

Mr. Grady moved to reconsider the vote by which said report of conference committee was disagreed to, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act limiting the time and expense of completing the Adirondack survey."

"An act to authorize the common council of the city of Lockport to raise, by tax, the sum of five hundred dollars to be expended in purchasing a hose carriage to be placed in the second ward of said city."

"An act to legalize and confirm the official acts of Robert B. Sedgwick, of the county of Kings, a notary public."

"An act to further amend chapter 831 of the Laws of 1871, entitled 'An act for the protection of private parks and grounds, and to encourage the propagation of fish and game,' and amended by chapter 347 of the Laws of 1876."

"An act to exempt the real estate of the Trustees of the House of the Good Shepherd, in the county of Rockland, from taxation."

"An act to authorize the board of supervisors of the county of Wayne to determine that the Clyde and Rose Plankroad Company abandon its plank or gravel road in that county, and to provide for the abandonment thereof."

"An act to amend chapter 622 of the Laws of 1875, entitled 'An act relative to the construction of sewers in a certain district in the city of Brooklyn, and providing for laying an assessment for sewers in said district.'"

"An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies."

"An act to release and convey the interest of the people of the State of New York, of, in and to certain real estate situated in the town of Grand Island, county of Erie, State of New York, to Leopold Mullenhoff."

"An act to authorize the Comptroller to compromise and settle old judgments and contract debts."

"An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the Military Code.'"

"An act to amend section 1, chapter 209 of the Laws of 1877, entitled 'An act regulating the amount of capital stock for fire and marine insurance companies.'"

"An act to authorize the city of Brooklyn to pay to John McCloskey the proper cost of a certain temporary sewer or drain in Hicks street, connecting with Hamilton avenue sewer, constructed by said McCloskey under a resolution of award of the common council of said city, passed October 25, 1869."

"An act to repeal chapter 305 of the Laws of 1871, entitled 'An act providing for the disposal of excise moneys in the county of Niagara.'"

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following bills, with a message that they had concurred in the amendments of the Assembly thereto:

"An act in relation to the taking of clams, oysters, and shell-fish within the waters of this State, and dredging for the same."

"An act to classify the board of trustees of the Clinton Liberal Institute, and to provide for the election of said trustees."

"An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs.'"

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the resolution relative to the publication of historical records and records of centennial celebrations of Fort Stanwix, Oriskany, Bemis Heights, Saratoga, and Schoharie, with a message that they had concurred in the passage of the same.

The Senate sent for concurrence the following entitled bills:

"An act to extend the time for the sale of the Genesee Valley canal as provided in chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights and other property connected therewith,' which was read the first time, and by unanimous consent was also read the second time and referred to the committee on canals.

"An act to set aside the Union Free school in joint school district in the town of Tyrone, in the county of Schuyler, and the town of Wayne, in the county of Steuben," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act for the relief of Daniel Farrell," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Clancy, and by unanimous consent, said bill was ordered to a third reading.

"An act authorizing the reading of affidavits of jurors in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the payment of counsel employed by the Attorney-General in behalf of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to change the name of the American Loan Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in regard to recognizances in criminal cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Senate was received and read informing of non-concurrence in the passage of the bills entitled as follows:

"An act to amend chapter 250 of the Laws of 1849, entitled 'An act in relation to plank and turnpike roads.'"

"An act to extend the charter of the Saratoga Lake Bridge Company."

The Senate returned the bill entitled "An act to amend chapter 411 of the Laws of 1877, entitled 'An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" with a message that they had concurred in the passage of the same, with the following amendment:

Add, at the end of section 1, the following:

"No person shall take, catch, or procure, by any means or device whatever, any fish from the following named waters lying in the county of Steuben: Smith pond, in the town of Howard, and Loucks pond, in the town of Avoca, for three years from and after the passage of this act."

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ALVORD
ANDREWS

CURRAN
DAY

HOLBROOK
HOYT

NORTH
PALMER

SLITER
SUTHERLAND

ASTOR	DEYOE	HULME	PARKER	E. TAYLOR
BAKER	DOUGLASS	JONES	PEEK	TERRY
BEARD	DUELL	KING	PIPER	THAIN
BERGEN	FISH	LANGNER	POOL	TOWNSLEY
BERRIGAN	FLOYD-JONES	LOVELAND	PRESCOTT	VALENTINE
BERRY	FLYNN	LOWING	PROPER	WAKELY
BROOKS	FOSTER	MATTISON	REYNOLDS	WARING
BRUNDAGE	GALVIN	MEAD	ROBERTS	WEMPLE
BURNS	GILBERT	MEKEEL	ROWLAND	WILBOR
CASE	GRIGGS	J. H. MILLER	SAWYER	WILLERS
CHAPPELL	HALLIDAY	MOLLER	SEARING	WILLIAMS
CLARK	HAMILTON	MOOERS	SHEARD	WILLIS
CONVERSE	HAVENS	NELSON	SHELDON	WINCH
CRANDALL	HEPBURN	NIVEN	SKINNER	WORTH
CRAWFORD	HOBBIE			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate returned the bill entitled "An act to provide compensation for referees in certain cases," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 9, strike out from the word "the" down to and including the word "taxed," in line 11, and insert the words "ten dollars per day for each and every day necessarily spent by him in such investigation."

After the word "paid," line 11, insert the words "upon the certificates of the presiding justices of said general term."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82.

NOES 4.

Those who voted in the affirmative, were

ALLEN	CLANCY	GALVIN	LOWING	ROBERTS
ALVORD	CLAPP	GILBERT	MEKEEL	ROWLAND
ANDREWS	CLARK	GRADY	J. H. MILLER	SEARING
ASTOR	CONVERSE	GRIGGS	MOLLER	SEEBACHER
BAKER	CRANDALL	HAVENS	NIVEN	SHEARD
BATHE	CROWLEY	HENRY	NORTH	SHELDON
BEARD	DALY	HEPBURN	PARKER	E. TAYLOR
BERGEN	DAY	HOLAHAN	PATTENGILL	J. T. TAYLOR
BERRY	DEYOE	HOLBROOK	CICERO C. PECK	TERRY
BOUCK	DOUGLASS	HOYT	DEWITT C. PECK	THAIN
BROOKS	DUELL	HULME	PEEK	VALENTINE
BROWNING	FISH	JONES	PIPER	WARING
BRUNDAGE	FITZGERALD	KELLOGG	PRESCOTT	WILBOR
BURNS	FLOYD-JONES	KING	PROPER	WILLIS
CASE	FLYNN	LANGNER	PURDY	WINCH
CHAPPELL	FOSTER	LOVELAND	REYNOLDS	WORTH
CHASE	FRANK			

Those who voted in the negative, were

CURRAN	HOBBIE	SKINNER	WILLERS
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act in relation to certain portions of the Chenango canal," with a message that they had concurred in the passage of the same, with the following amendments:

Add at the end of section 1 the following: "The commissioners of the land office are also authorized to make such arrangements with the authorities of the town of North Norwich, in the county of Chenango, and of the village of Earlville, in the counties of Chenango and Madison, as may be possible and just, and in keeping with the general purposes of this act, which shall secure to the villages of North Norwich and Earlville the use and enjoyment of the water of said canal, within their limits, respectively, for the purposes aforesaid."

Section 6, line 6, after the word "over," insert the words "that portion of."

Same section, line 7, strike out the word "respectively," and insert in lieu thereof the words "lying south of the stone culvert in the village of Hamilton, in the county of Madison."

Add, as section 7, the following:

"§ 7. The Superintendent of Public Works shall make such changes in the gates and waste weirs of the aqueduct, at or near Solsville, as to cause what, in his estimation, would amount to one-tenth of the water flowing north therefrom to flow through the Oriskany creek into the Erie canal."

Change section 7 to section 8.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 88.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOYT	PARKER	SUTHERLAND
ALVORD	CROWLEY	HULME	DeWITT C. PECK	E. TAYLOR
ANDREWS	DALY	HURD	PEEK	J. T. TAYLOR
ASTOR	DEYOE	JONES	PIPER	TERRY
BAKER	DUELL	KELLOGG	PRESCOTT	THAIN
BATHE	FISH	KING	REYNOLDS	THOMSON
BEARD	FLOYD-JONES	LANGNER	ROBERTS	TOWNSLEY
BERGEN	FLYNN	LOVELAND	ROWLAND	VALENTINE
BERRY	FOSTER	MATTISON	SAWYER	WAKELY
BOUCK	GALVIN	MCDONOUGH	SEARING	WARING
BROOKS	GILBERT	MEKEEL	SEEBACHER	WEMPLE
BRUNDAGE	HAMILTON	J. H. MILLER	SEWELL	WILBOR
CASE	HAVENS	MOLLER	SHANLEY	WILLERS
CHAPPELL	J. HAYES	MOOERS	SHEARD	WILLIAMS
CHASE	HENRY	MEYENBORG	SHELDON	WILLIS
CLANCY	HEPBURN	NIVEN	SKINNER	WINCH
CLAPP	HOBBIE	NORTH	STRACK	WORTH
CONVERSE	HOLAHAN	PALMER		

For the negative,

CURRAN

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

By unanimous consent,

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Roberts, Int. No. 955, entitled "An act to amend chapter 244 of the Laws of 1839, entitled 'An act to authorize the construction of a MacAdam road in the town of Deerfield,' and to provide for the sale of the road, and for a special constable for

said road," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The Senate returned the bill entitled "An act to improve Flushing avenue, Long Island City," with a message that they had concurred in the passage of the same, with the following amendment :

Strike out of section 2 the words "each of the offices of the Secretary of State, the clerk of Queens county, and the city clerk of Long Island City," and insert in lieu thereof the words "the office of the city clerk of Long Island City, on the 28th day of March, 1878, and in the office of the clerk of the county of Queens, on the 6th day of May."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOLAHAN	NIVEN	SKINNER
ALVORD	DALY	HOYT	NORTH	STORY
ANDREWS	DEYOE	HULME	NOYES	SUTHERLAND
ASTOR	DUELL	JONES	PARKER	E. TAYLOR
BAKER	FISH	KEEGAN	PEEK	TERRY
BEARD	FLOYD-JONES	KING	PIPER	THAIN
BERGEN	FLYNN	LANGNER	PRESCOTT	THOMSON
BERRY	FOSTER	LOVELAND	PURDY	TOWNSLEY
BROOKS	FRANK	MATTISON	REYNOLDS	VALENTINE
BROWNING	GALVIN	MEAD	ROBERTS	WARING
BRUNDAGE	GILBERT	MEKEEL	ROWLAND	WILBOR
BURNS	GRIGGS	J. H. MILLER	SAWYER	WILLERS
CHAPPELL	HALLIDAY	S. V. R. MILLER	SEARING	WILLIAMS
CLANCY	HAMILTON	MOLLER	SEWELL	WILLIS
CLAPP	HAVERNS	MOOERS	SHEARD	WINCH
CLARK	HEPBURN	MEYENBORG	SHELDON	WORTH
CONVERSE	HOBIE			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate sent for concurrence the bill entitled as follows :

"An act relative to the collection of taxes and assessments in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned the resolution relative to the final adjournment of the Legislature, with a message that they had concurred in the passage of the same.

The Senate bill entitled "An act to authorize the county clerk of Kings county to arrange, assort and repair all judgments, decrees, orders and other papers filed or deposited in Kings county clerk's office, and to record and certify mutilated or injured writings affecting the title to real estate in said county, and providing compensation for his services in that respect," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor hereof, and three-fifths being present, as follows :

AYES 80. NOES 3.

Those who voted in the affirmative, were

ALVORD	CLAPP	I. I. HAYES	MOLLER	ROWLAND
ANDREWS	CLARK	J. HAYES	MOOERS	SAWYER
ASTOR	CONVERSE	HENRY	MEYENBORG	SEARING
BAKER	DALY	HEPBURN	NELSON	SEEBACHER
BATHE	DEYOE	HOBBIE	NIVEN	SKINNER
BERGEN	DOUGLASS	HOLAHAN	NORTH	SUTHERLAND
BERRIGAN	FLOYD-JONES	HOYT	PALMER	THAIN
BERRY	FLYNN	HULME	PARKER	TOWNSLEY
BROOKS	FOSTER	JONES	PATTERSON	VALENTINE
BROWNING	FRANK	KELLOGG	CICERO C. PECK	WAKELY
BRUNDAGE	GALVIN	KING	DEWITT C. PECK	WEMPLE
BURNS	GRADY	LANGNER	PEEK	WILBOR
CASE	GRIGGS	LOVELAND	PIPER	WILLERS
CHAPPELL	HALLIDAY	MATTISON	PRESCOTT	WILLIAMS
CHASE	HAMILTON	MCDONOUGH	PROPER	WINCH
CLANCY	HAVENS	MEKEEL	ROBERTS	WORTH

Those who voted in the negative, were

BEARD	FISH	SHEARD
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sheard, from the committee on trade and manufactures, reported Assembly bill No. 382, entitled "An act for the better security of life from fire in hotels and other buildings," amended.

Said bill, as amended, was placed on order of third reading.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79. NOES 7.

Those who voted in the affirmative, were

ABBOTT	CLAPP	I. I. HAYES	NELSON	STRACK
ALLEN	CONVERSE	HEPBURN	NIVEN	SUTHERLAND
ANDREWS	CRANDALL	HOBBIE	PATTENGILL	E. TAYLOR
BAKER	CRAWFORD	HOLAHAN	PATTERSON	TERRY
BATHE	CROWLEY	HOYT	PEEK	THAIN
BEARD	CURRAN	JONES	PIPER	THOMSON
BERGEN	DEYOE	KEEGAN	PRESCOTT	VALENTINE
BERRIGAN	FISH	KING	ROBERTS	WAKELY
BERRY	FITZGERALD	LANGNER	ROWLAND	WARING
BOUCK	FLOYD-JONES	LOVELAND	SEARING	WEMPLE
BROOKS	FOSTER	MATTISON	SEEBACHER	WILLERS
BROWNING	FRANK	MEAD	SHANLEY	WILLIAMS
BRUNDAGE	GALVIN	MEKEEL	SHEARD	WILLIS
BURNS	GRADY	MOLLER	SHELDON	WINCH
CASE	GRIGGS	MOOERS	SKINNER	WORTH
CHAPPELL	HALLIDAY	MEYENBORG	SLITER	

Those who voted in the negative, were

ALVORD	CHASE	GILBERT	HULME	TOWNSLEY
ASTOR	DAY			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relating to certain indebtedness of the city of New York, and to provide for the payment and cancellation of the same," having been announced for a third reading,

Mr. Daly moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the negative, as follows :

AYES 32.

NOES 44.

Those who voted in the affirmative, were

BROWNING	HALLIDAY	KELLOGG	CICERO C. PECK	THOMSON
CORMACK	HAMILTON	LANGNER	ROBERTS	VALENTINE
CURRAN	HAVENS	LOVELAND	SEARING	WEMPLE
DALY	J. HAYES	MCDONOUGH	SKINNER	WILLERS
DAY	HOLAHAN	MOLLER	SLITER	WILLIS
FITZGERALD	HOLBROOK	PATTENGILL	STRACK	WINCH
FLYNN	HOYT ^e			

Those who voted in the negative, were

ABBOTT	DEYOE	HENRY	NIVEN	REYNOLDS
ALVORD	DOUGLASS	HOBBIE	NORTH	SEEBACHER
ASTOR	DUELL	JONES	PARKER	SHELDON
BAKER	FISH	KEEGAN	PATERSON	SUTHERLAND
BEARD	FLOYD-JONES	KING	DEWITT C. PECK	TERRY
BROOKS	GALVIN	LOWING	PIPER	THAIN
CLANCY	GILBERT	MAPES	PRESCOTT	WAKELY
CLAPP	GRADY	J. H. MILLER	PROPER	WILBOR
CROWLEY	I. I. HAYES	MOOERS	PURDY	

Mr. I. I. Hayes moved that said bill be recommitted to the committee on affairs of cities, with instructions to substitute Senate bill No. 166.

On motion of Mr. Brooks, and by unanimous consent, said bill was amended as follows :

Section 5, lines 6 and 7, printed bill, strike out the word "diminished," and insert in lieu thereof the word "alienated."

Mr. Holahan moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. I. I. Hayes, and it was determined in the negative. Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	I. I. HAYES	MEYENBORG	SHELDON
ALVORD	DALY	HENRY	NELSON	SKINNER
ANDREWS	DEYOE	HOLAHAN	NORTH	STRACK
BAKER	DOUGLASS	HOLBROOK	PARKER	SUTHERLAND
BATHE	DUELL	HOYT	PATERSON	E. TAYLOR
BEARD	FISH	JONES	DEWITT C. PECK	J. T. TAYLOR
BERRIGAN	FLOYD-JONES	KEEGAN	PECK	TERRY
BERRY	FRANK	KING	PIPER	THOMSON
BROOKS	GALVIN	LOVELAND	PRESCOTT	WARING
BROWNING	GILBERT	MATTISON	REYNOLDS	WILBOR
BURNS	GRADY	MCDONOUGH	ROBERTS	WILLERS
CASE	GRAHAM	MEKEEL	ROWLAND	WILLIAMS
CLAPP	GRIGGS	J. H. MILLER	SEARING	WILLIS
CLARK	HALLIDAY	S. V. R. MILLER	SEEBACHER	WINCH
CORMACK	HAMILTON	MOLLER	SHANLEY	WORTH
CRAWFORD	HAVENS	MOOERS	SHEARD	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

When the name of Mr. Thain was called, he declined to vote.

Mr. Purdy moved that Mr. Thain be compelled to vote.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the negative.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to amend section 1 of chapter 225 of the Laws of 1877, entitled 'An act to establish the boundary line between the towns of Jay and Wilmington, in the county of Essex, and to confirm the past jurisdiction of said towns respectively in relation to said line.'"

"An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

"An act in relation to the disposition and application of moneys raised and collected in the towns of this State for highway and bridge purposes."

"An act to prevent accidents on railroads operated by steam power in the State of New York."

"An act in relation to the regrading and paving of Grand street from Union avenue to Bushwick avenue, in the city of Brooklyn, with Belgian pavement."

"An act in relation to the Manual Labor school upon the Tonawanda reservation."

"An act to incorporate the Columbia County Bar Association."

"An act authorizing the Buffalo City Cemetery to convey to the city of Buffalo certain lands for a street."

"An act to amend chapter 664 of the Laws of 1873, entitled 'An act to organize the village of Monticello into a separate school district, and to provide for the purchase of a site and erection of a school edifice.'"

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,' so far as the same relates to the county of Oswego."

"An act to incorporate the General Council of the Methodist Episcopal Ministers' National Mutual Aid Association, and to provide for the organization of subordinate chapters."

"An act to extend and define the liberties of the jail for the county of Ulster."

"An act to enable the park commissioners of the city of Buffalo to transfer to said city their jurisdiction and control over certain lands taken for a park and laid out by said commissioners as a part of Delaware street."

"An act to reduce the number of managers of the Charity Foundation of the Protestant Episcopal Church, in the city of Buffalo."

"An act to release the interest of the people of the State of New York in and to certain real estate in the city of New York, in the State of New York, of which Peter W. Duncan or Eliza Kelly, or both of said persons, died seized and possessed to the persons who, according to the statutes of this State, would answer the description of heirs-at-law of such deceased persons, whether they were citizens or aliens, at the time of the death of said Peter W. Duncan or Eliza Kelly."

"An act to amend an act entitled 'An act to make the office of supervisor in the county of Erie a salaried office, and to provide for the appointment and compensation of other officers of said board,' passed May 13, 1876."

"An act to limit and define the powers of the supervisor, town clerk,

commissioners of highways and justices of the peace of the town of Pelham, in the county of Westchester."

"An act to reappropriate certain moneys heretofore appropriated by chapter 425 of the Laws of 1876."

"An act to authorize the Mutual Fire Insurance Company to unite a cash capital, and to provide for its participation in their business."

"An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie, and to consolidate with it other acts relating to said city.'"

"An act to improve Steinway avenue, Long Island City."

"An act in relation to the bonded debt of the town of White Plains, in the county of Westchester."

"An act to amend chapter 739 of the Laws of 1857, entitled 'An act to authorize the formation of town insurance companies.'"

"An act for the relief of the Port Byron Free School district, in the town of Mentz, in the county of Cayuga."

"An act authorizing a change of boundary between the park, under the jurisdiction and control of the park commissioners of the city of Buffalo, and the lands of the Buffalo City Cemetery."

"An act releasing the interests of the State in certain lands of which Patrick Kinney died possessed, to John Kinney, James Kinney and Patrick Kinney, his children and heirs-at-law."

"An act to prohibit the taking of certain kinds of fish from the waters of Loon lake, in the county of Steuben."

"An act in relation to the repaving of streets in the city of Syracuse, and to amend the charter of said city."

"An act to protect spawning fish in the Hudson river."

"An act to amend chapter 41 of the Laws of 1861, entitled 'An act to incorporate the veterans of the National Guard, Seventh regiment, First division, New York State militia.'"

"An act to amend section 8 of chapter 608 of the Laws of 1871, entitled 'An act to amend an act to provide for the incorporation of fire insurance companies, passed June 25, 1853.'"

"An act to repeal chapter 418 of the Laws of 1870, entitled 'An act to provide for the payment of the board of vagrants committed to the almshouse of the city and town of Newburgh.'"

"An act to authorize the formation of town insurance companies."

"An act relating to certain of the public burdens of the various cities of the State."

"An act to release certain lands which have escheated to the State to Louisa Hanneder, widow of Joseph Hanneder, late of the city of Albany, New York."

"An act for the relief of the Lutheran cemetery in the town of Newtown, in the county of Queens."

"An act to amend chapter 373 of the Laws of 1866, entitled 'An act to authorize any town in the counties of Columbia or Rensselaer to aid in the completion of the Lebanon Springs railroad.'"

"An act to amend section 19 of chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and regulate the sale of intoxicating liquors so far as the same relates to the county of Ontario.'"

"An act relating to the public place or square known as Washington park in the city of New York."

"An act relative to judgments entered upon forfeited recognizances in the city and county of New York."

"An act to provide for a Hall of Military Record and the maintenance thereof."

"An act to legalize the official acts and proceedings of Alanson King, Andrew Sheldon, and Harvey Wellman as commissioners of excise of the town of Perry, Wyoming county."

"An act to render inoperative an act entitled 'An act to amend an act to improve the Cayuga Creek road, in the county of Erie,' passed March 29, 1848, passed March 29, 1849, so far as the same applies to the eastern section of the said Cayuga Creek road."

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs, and maintenance of the canals for the fiscal year commencing on the first day of October, 1878, and to provide for an anticipated deficiency in former appropriations."

"An act to extend the time for the collection of taxes in the town of Cherry Valley, in the county of Otsego."

Ordered, That the Clerk deliver said bills to the Governor.

The hour of 2 having arrived, the House adjourned to meet on Monday evening at 7 o'clock and 30 minutes.

MONDAY, MAY 13, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Smart.

The journal of Friday, May 10, was read and approved.

The Senate returned the Senate bills entitled as follows:

"An act to amend chapter 424 of the Laws of 1877, entitled 'An act in relation to the appointment of a State agent for the guidance and employment of discharged convicts.'"

"An act to provide for the support, treatment and care of pauper, destitute and delinquent children."

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,'" with a message that they had concurred in the passage of the same, with the following amendments:

Add as sections 2 and 3 the following:

"§ 2. Section 9 of title 12 of chapter 633, Laws of 1875, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose,' passed June 28, 1873, and the act for that purpose, passed June 1, 1874, is hereby amended so as to read as follows:

"§ 9. The department of health of the city of Brooklyn, shall have full and exclusive power to make contracts for the removal in and from said city of all offal, dead animals, night soil, garbage and other refuse matter, and also for the cleaning of the streets, avenues and places of said city, and collecting and removing ashes in and from said city, and keeping the said streets, avenues and places clear of encroachments, obstructions and incumbrances for the period of not less than one, nor more than five years, and to require and receive bonds in such form and amount as the said department may approve for the faithful performance by the person or persons to whom such contracts may, by said department, in its discretion have been awarded, of all and every of the provisions of such contracts, and to cancel and revoke all contracts made by

it, or which may be entered into under this section, as well as all existing contracts for the collecting and removal of the matters as aforesaid, and the cleaning of the streets, avenues and places in said city, whenever the contractor shall refuse or neglect to perform any of the stipulations of such contract.'

"§ 3. Section 10 of said title of said last-mentioned act, is hereby amended so as to read as follows :

" '§ 10. All contracts shall be signed by the president of the said department of health, and no contract shall be made or terminated, except by the affirmative vote of a majority of the members of the said department of health. All contracts, when so made, shall be carried out and executed under the supervision and control of the said department of health.' "

Make section 2 read section 4, and section 3 read section 5.

Amend the title so as to read as follows :

"An act to amend chapter 863 of the Laws of 1873, and chapter 633 of the Laws of 1875, being acts amending the charter of the city of Brooklyn, for that purpose, respectively passed June 28, 1873, and June 21, 1875."

Mr. Grady moved to non-concur in the amendments made in the Senate to said bill, and that a committee of conference be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then announced as such committee Messrs. Grady, Waring, Fish, Worth, and Bergen.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in their amendments to said bill, have appointed a committee of conference thereon, and request a like committee on the part of the Senate.

The Private Secretary of the Governor appeared before the bar of the House, and presented five several messages in the following words :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 13, 1878. }

To the Assembly :

I transmit herewith a copy of the statement of the items of appropriation to which I object, contained in Assembly bill No. 283, entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," which statement was appended to the said bill at the time of signing it, in accordance with section 9 of article 4 of the Constitution.

L. ROBINSON.

STATEMENT of items of appropriation objected to and not approved, contained in Assembly bill No. 283, entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations."

"For the law library of the fourth judicial district, the sum of seven hundred and fifty dollars, to be paid on bills therefor certified by the presiding justice of said district."

This item is objected to and not approved for the reasons stated for disapproving a similar item in the supply bill of last year, as follows: "It is unequal and unjust to compel the tax-payers of the State to contribute money for the establishment of law libraries in various counties of the State. The practice has gone much too far already. It never should have been begun, and should be stopped at once and finally. * * * There is no more reason for supplying lawyers with their books than in supplying doctors and clergymen with theirs, or farmers and mechanics with their implements and tools. The convenience and advantage which the lawyers and judges will have from these libraries may easily be obtained by voluntary associations, and by contributions from those who are to be benefited by them."

I can see no reason for changing the views then expressed. They apply with equal force to these large appropriations for additions to law libraries, although originally written as to the foundation of one.

An additional reason for disapproving the present item is, that the appropriation is directed "to be paid on bills therefor certified by the presiding justice of said district." There is no such officer known to the judiciary as the "presiding justice" of a district. The presiding justice is a judicial officer of a department, not of a district; a distinction illustrated by the fact, that in the fourth judicial district, the one in question, there is no "presiding justice."

"For the law library of the sixth judicial district, at Delhi, Delaware county, the sum of one thousand dollars, to be paid on bills therefor certified by the justice of said district residing at Delhi."

This item is objected to and not approved, for the same reasons given for disapproving the last-mentioned item.

"For the law library of the eighth judicial district, the sum of one thousand dollars, to be paid on bills therefor certified by the trustees of said library."

This item is objected to and not approved, for the same reasons stated for disapproving the last-mentioned item.

"For the law library of the sixth judicial district, located at Binghamton, the sum of two thousand dollars, to be paid on bills therefor certified by Celora E. Martin, Justice of the Supreme Court, residing at Binghamton."

This item is objected to and not approved, for the same reasons given for the disapproval of the last preceding item.

"For the law library of the seventh judicial district, at Rochester, the sum of one thousand dollars, to be paid on bills therefor certified by the presiding justice of said district."

This item is objected to and not approved, for the same reasons given for the disapproval of the last preceding item.

"And for each of the other district law libraries of the State, the sum of five hundred dollars, to be paid on bills therefor certified in each case by the presiding justice of such district."

This item is objected to and not approved, for the same reasons given for the disapproval of the last above-mentioned item, and for the additional reason that the sum appropriated by it is not specifically stated as required by the Constitution. It does not state the number of libraries, nor the sum necessary to pay it. Section 8 of article 7 of the Constitution expressly forbids the payment of moneys from the treasury unless the law making the appropriation distinctly specifies the sum appropri-

ated. It does not appear from this language whether the sum intended to be paid is five hundred dollars, five thousand dollars, or more.

"For printing and binding an amended edition of the New York Code of Public Instruction, to be prepared by the Superintendent of Public Instruction, and by him distributed, one to each of the school districts of the State, the sum of twelve thousand dollars, or so much thereof as may be necessary."

This item is objected to and not approved, for the reason that no existing law authorizes any such codification. The present bill elsewhere provides for printing, binding, and distributing an amended edition of the school laws of the State. The Code of Instruction, so called, is only ten years old; the new one will contain only the same statutes as the amended edition of the laws mentioned above and some outside notes, and the main expense of compiling it will lie in the annotations, and not in the laws. Even if it were desirable to publish such a code, it would seem wiser to do it at some future time, and not in the same year when a newly revised edition of the general school laws is to be distributed. The distribution of the amended laws will put in the hands of all district authorities the statutes of public instruction as they exist at present. Five or ten years hence, when these statutes may have been amended, it will be far less unnecessary to issue a code.

More than all this, I am informed by the superintendent, that the amount appropriated is not sufficient to accomplish the work specified. It does not seem proper, in these times, to inaugurate the publication of a volume which is to cost an indefinite sum, and which may become a needless and heavy burden on the treasury, nor in any event should it be inaugurated in an appropriation bill without previous legislative authority.

"For repairing the highway upon the Cattaraugus Indian reservation, running from Gowanda through said reservation into the town of Perrysburgh, in Cattaraugus county, changing the line thereof, and for the erection and repair of bridges thereon, the sum of two thousand dollars, to be expended under the supervision of Millen T. Hill, Enoch Taylor, second, and William F. Vosburgh, of Gowanda, aforesaid, who are hereby appointed commissioners for that purpose, who shall each receive out of said sum two dollars per day for each full day occupied by them in and about the repairing of said road, but the total compensation of such commissioners shall not exceed the sum of one hundred and fifty dollars, and no part of the sum hereby appropriated shall be paid over to said commissioners until they shall have executed a bond to the people of this State, to be approved by the Comptroller, conditioned that they will faithfully discharge their duties as such commissioners and truly account under oath to the Comptroller for all moneys received by them for the purpose aforesaid, and no part of said sum shall be expended except upon a plan and estimate of said work, which will complete it within the sum above appropriated."

This item is objected to and not approved for the reason that the Legislature has been forbidden by section 18 of article 3 of the Constitution, to pass any private or local bill, for laying out, altering, working or discontinuing roads, highways and alleys. More than this, chapter 482 of the Laws of 1875, gives full power to the supervisors in the matter of this road if needed.

A similar item in the supply bill of last year was disapproved for like reasons. The prohibition in the Constitution is positive, and no excep-

tion is made to it, and it applies as much to Indian lands as any other. The State is not the owner of these lands any more than the counties within which they lie. If the State has any authority at all to build roads and bridges through the Indian reservations, it has conferred all the authority it has upon the counties, but neither State nor county has any right to enter upon these reservations, for any purpose, without the consent of the Indians themselves. If the Indians want the roads they can build them. If white men only want them, they can build them for themselves as in all other cases, provided they obtain the consent of the Indians.

“For repairing the road across the Onondaga Indian reservation, leading from what is known as the ‘Castle Hotel,’ in the town of Onondaga, to a point intersecting the road leading by the house of Edwin Clark, a distance of about one and one-eighth miles, the sum of about five hundred dollars, to be expended under the supervision of John Kelley, of said town, who is hereby appointed a commissioner for that purpose, who shall receive out of said sum three dollars per day for each full day occupied by him in the discharge of such duty, but for not exceeding ten days in the aggregate, and who shall execute to the people of this State a bond, to be approved by the Comptroller, for the faithful discharge of his duties as such commissioner.”

This item was contained in the supply bill of last year in precisely the same language, and was then, and is now, objected to and not approved for the same reasons given for disapproving the last mentioned item.

“For the Clerk of the Assembly, for preparing the appendix to the Clerk’s Manual, pursuant to the resolution of the Assembly, adopted May 24, 1877, three hundred dollars.”

This item is objected to and not approved. The Constitution and the statutes alike forbid this appropriation. Under the nominal excuse of extra services prior to 1874, large amounts were annually voted to the clerks and employes of the Senate and Assembly. By an amendment to the Constitution, adopted in November of that year, the Legislature was forbidden to grant any extra compensation to any public officer, servant, agent or contractor.

Chapter 112 of the Laws of 1875 provides for the compensation of the clerks of the Senate and Assembly a salary of \$3,500 each. Further allowances by that statute being the compensation of the Clerk of the Assembly up to \$5,250. The statute then declares that “no extra allowance shall be made to the officers and employes above named on any pretense whatever.” The appropriation for the payment of the regular compensation has already been made in the general appropriation bill. The statute of 1875 passed immediately after the amendment to the Constitution took effect, evidently shows the construction put upon the amendment by the Legislature. That construction is clearly right, since under the pretense of extra services any amount may be allowed and the constitutional prohibition utterly nullified. The intent of the Constitution was to destroy the whole system of extra allowances and the appropriations in the present bill are in open violation of that intent. Any reason that may be given for voting away thousands of dollars to an officer who receives five or six thousand dollars for six months work may be as well urged for extra compensation to other and less richly salaried officers.

“For preparing and classifying under appropriate headings for the use of the Legislature, an index to papers on file in the Assembly from

eighteen hundred and seventy-three to eighteen hundred and seventy-seven, both inclusive, pursuant to resolution of the Assembly adopted May twenty-fourth, eighteen hundred and seventy-seven, seven hundred and fifty dollars."

This item is objected to and not approved, for the same reason given for the disapproval of the last-mentioned item.

"And for preparing, under appropriate headings, a complete index to the laws of the State from eighteen hundred and seventy-five to eighteen hundred and seventy-seven, both inclusive, pursuant to resolution of the Assembly, adopted May twenty-fourth, eighteen hundred and seventy-seven, one thousand dollars."

This item is objected to and not approved, for the same reason given for the disapproval of the last mentioned item; and for the further reason that even if it were in the power of the Legislature to pay it, it seems an exorbitant allowance. The Secretary of State is obliged by statute to make a complete official index to the Laws of the State each year. To combine these indices for three years into one is a very short and simple task, and would be richly compensated by an allowance of one hundred dollars.

"For the journal clerk of the Assembly, for preparing and classifying under appropriate headings, under the direction and supervision of the Clerk of the Assembly, a complete index to bills introduced in the Assembly and not printed, from eighteen hundred and seventy-three to eighteen hundred and seventy-seven, both inclusive, pursuant to resolution of the Assembly, adopted May twenty-fourth, eighteen hundred and seventy-seven, six hundred and seventy-five dollars."

This item, which is simply a duplicate of one of \$750 to the Clerk for the same services mentioned above, is objected to and not approved, for the same reasons given for the disapproval of that item.

"And for preparing and classifying under appropriate headings, under the direction and supervision of the Clerk of the Assembly, a complete index to all bills printed during the years eighteen hundred and seventy to eighteen hundred and seventy-seven, both inclusive, pursuant to resolution of the Assembly, adopted May twenty-fourth, eighteen hundred and seventy-seven, one thousand two hundred and fifty dollars."

This item is objected to and not approved, for the same reasons given for the disapproval of the last-mentioned item.

"For Henry A. Glidden, late Clerk of the Senate, for preparing a continuation of the general index of documents of the Senate and Assembly, from eighteen hundred and seventy to eighteen hundred and seventy-eight, and distributing the same, pursuant to resolution of the Senate, adopted May twenty-fourth, eighteen hundred and seventy-seven, the sum of twelve hundred dollars."

This item is objected to and not approved, for the same reason given for the disapproval of the last-mentioned item.

"And for preparing an index to the journal and testimony taken before the Senate on the trial of the charges against De Witt C. Ellis, and distributing the same, pursuant to a resolution of the Senate, adopted August seventeenth, eighteen hundred and seventy-seven, the sum of five hundred dollars."

This item is objected to and not approved, for the same reason given for the disapproval of the last-mentioned item.

"For the Clerk of the Senate for preparing an index to the journal and proceedings of the Senate, in the trial of the charges against John

F. Smyth, Superintendent of the Insurance Department, and distributing the same pursuant to resolution of the Senate, adopted March twenty-four, eighteen hundred and seventy-eight, the sum of five hundred dollars."

This item is objected to and not approved, for the same reason given for the disapproval of the last-mentioned item, and for the further reason that chapter 112 of the Laws of 1875, above cited, provides that there shall be paid annually to the Clerk of the Senate \$500, and to the Clerk of the Assembly \$750, for indexing the journals, bills, and documents of the Senate and Assembly. Under this statute, I suppose it was the duty of the Clerk to prepare the index named in the appropriation without any extra compensation whatever, and in that view of the case, this item is even more improper than those above alluded to.

"For the county of Cayuga as an equitable reimbursement for certain expenses incurred and paid for the two trials in eighteen hundred and seventy-three and eighteen hundred and seventy-four, and the appeals thereon of Michael Donohue, a convict, indicted for the murder of a convict in Auburn prison, including all disbursements made necessary during the incarceration of said Donohue, prior to, pending, and subsequent to the trials; for like expenses incurred and paid for the trials, in eighteen hundred and seventy-four, of John Coughlin, Patrick Egan, Thomas E. Hardy, and Patrick Clifford, convicts, indicted for assault with a deadly weapon upon a keeper in said prison, including like disbursements; for like expenses incurred and paid for the trial in eighteen hundred and seventy-five, of Edwin Thomas, a convict, indicted for the murder of a convict in said prison, including like disbursements; for like expenses incurred and paid for the trial, in eighteen hundred and seventy-seven, of Harvey Thorpe, a convict, indicted for the murder of a convict in said prison, including like disbursements; and for like expenses incurred and paid for the trial, in eighteen hundred and seventy-seven, of William Barr, a convict, indicted for the murder of a keeper in said prison, including like disbursements, the sum of seven thousand and eleven dollars and forty-five cents."

This item is objected to and not approved, for the reason that it is, in every proper sense, a private claim, consisting of very many separate items, and, under the Constitution, is subject to the audit and allowance of the Board of Audit, before the Legislature has power to appropriate money for its payment. This objection alone is fatal to the item without considering the question whether such an appropriation ought ever to be made to counties to defray the expenses of trials for crimes committed within their borders. The same item was contained in the supply bill of last year, except that it did not provide for the expenses of the trials of Thorpe and Barr. The reasons just stated were then given for its disapproval, but the item has not yet been submitted to the Board of Audit. Were this item approved, the Comptroller would have no power to pay it, since it has not been audited as required by the Constitution.

The item of this year differs from that of last only in that it is now called an "equitable reimbursement." This does not avoid the necessity of submitting the claim to the Board of Audit, since, by the statute establishing that board, it is to hear the testimony and to consider what amount should "equitably be paid by the State to the claimants."

"For the city of Syracuse, as an equitable reimbursement and voluntary payment of the local assessment and expenses of paving on Salina

street, in said city, in front of the Salt Springs office, in eighteen hundred and seventy-six, three hundred and eighty-two dollars and seventy-two cents; of the local assessment and expenses of constructing a sewer in Leavenworth avenue and Clark street, in said city, in front of lands belonging to the State, in eighteen hundred and seventy-seven, two thousand four hundred and seventy-nine dollars and seven cents."

This item is objected to, and not approved. In objecting to a similar item last year, I used the following language: "On principle, the State ought not to be compelled to pay to its municipal corporations assessments for local improvements within their limits. The property of the State is ordinarily of much more benefit to the particular locality in which it lies than to the State itself, and to sanction the principle that the cities and villages of the State may, in their discretion, assess State property for local improvements, is to open the door for unlimited calls and drafts on the treasury for moneys to be expended at the discretion of such local authorities. Such assessment and taxation upon State property is beyond the jurisdiction of such municipalities. Their power is derived from the State itself, and it is not to be admitted that they can impose liabilities on the superior power which created them. In cases where it may be proper for the State to contribute to such expenses, the Commissioners of the Land Office should investigate the matter, and the State should voluntarily pay such proportion as it may deem just and equitable."

I am still of the opinion then expressed, and cannot, therefore, assent to this appropriation.

"For the city of Utica, for the local assessment and expense of grading Canal street from the old city line to the Whitesboro road, five hundred and fifty-six dollars and twelve cents."

This item is objected to and not approved for the reasons last above stated, and for the additional reason that the assessment in question is of an unprecedented character, the State property upon which it is levied being the Erie canal. To levy assessments against the State upon this highway of commerce is wholly inadmissible under any circumstances. To commence such a practice at a period when it is claimed that the taxpayers of the State should take upon themselves the payment of all the expenses of maintaining the canals, is intolerable.

"For the Blind Asylum, at Batavia, for securing a supply of water for fire and other purposes, for the purchase of apparatus for giving instruction to the blind, for repairing rooms, for building additional work-room, and for additional bedding, ten thousand dollars."

This item is objected to and not approved, for the reason that I learn, from official sources and from persons immediately connected with the management of the institution, that there is no immediate necessity for the expenditure provided for by this appropriation, and that no injury or serious inconvenience will be caused by its omission.

"For finishing the basement and first stories of the State Inebriate Asylum, at Binghamton, the sum of seven thousand five hundred and thirty-four dollars and thirty cents."

This item is objected to and not approved for the reason that the basement and first stories of the building have been found sufficient for all the purposes for which they are required ever since the building was brought into use. The proofs of its benefit to the public, thus far, have not been such as to encourage a further expenditure for construction.

"For John Flanagan, as defendant in the action hereinafter named,

the sum of six hundred and sixty-four dollars and sixty-six cents, being the amount in full payment of the principal of two judgments for costs against the people of this State in the action commenced by the late Attorney-General against John Flanagan, which judgments were docketed in the clerk's office of the county of New York, the one on the eighth day of March, eighteen hundred and seventy-five, and the other (affirming the first judgment) on the eighth day of November, eighteen hundred and seventy-seven."

This item is objected to and not approved, for the reason that another provision of this bill appropriates four hundred and eighty-one dollars to John B. Haskin, on account of the same judgment. An affidavit presented to me shows that the four hundred and eighty-one dollars was allowed to John B. Haskin by the Board of Audit for this same judgment. This being so, the present appropriation to Flanagan is simply a second payment by the State of the same claim, and for a private claim which has never been allowed by the Board of Audit.

"For John Flanagan * * * and the further sum of ninety dollars and eighty-two cents for interest on said judgments."

This item is objected to and not approved for the same reason for disapproving the previous item.

"For the payment of a canal certificate, with interest thereon, given by the late Canal Commissioner in charge of the middle division of the canals, to C. L. McAlpine in eighteen hundred and seventy-two, addressed to the Auditor of the Canal Department, for extraordinary expenses incurred in the discharge of his duties as a resident engineer, the sum of eight hundred and twenty dollars."

This item is objected to and not approved, for the reason that I learn from the records of the Canal Board and the Canal Department, that its payment has been repeatedly refused by different Auditors of the Canal Department and by the Canal Board, and the Canal Board has once, at least, held that the claim should be properly presented to the Board of Audit. This having been the repeated decision of the canal authorities, it does not seem that the Legislature should reverse it.

"For Weed, Parsons & Co., * * * for printing, expressage and postage for the Commissioners to Revise the Statutes, payable on the certificate of the chairman of the Commissioners, as the work progresses, five thousand dollars."

This item is objected to and not approved. The total expense of this Commission to the State cannot fall beneath \$200,000, and may go beyond it. For this vast expenditure the State has received, in my judgment, no benefit and much harm. The Commission ceased to exist on the first of the present month. There is no such officer in existence as the chairman of the Commissioners, so that there could be no official certificate on which the appropriation could be paid, if it were approved. Neither is it proper to provide for paying printing, expressage and postage "as the work progresses," since no provision has been made for the progress of the work.

PAYABLE FROM THE ORDINARY CANAL REPAIR FUND.

"For the construction of a foot bridge over the Erie canal, on Kohler street, in the village of Tonawanda, the sum of five hundred dollars, or so much thereof as may be necessary."

This item is objected to, and not approved. I learn, upon inquiry in the Canal Department, that there is no money in the treasury which can

safely be applied to building bridges. The whole amount appropriated for ordinary repairs for the current fiscal year, was \$640,000. Of this amount \$263,067.66 were expended by the Canal Commissioners during the first four months before the Superintendent of Public Works came into office, most of it having been expended during the last two months of navigation. This left for the Superintendent only the meagre sum of \$376,932.34 with which to open the canals, to manage and operate them during eight months, up to the first of October next. It is evident that only by the closest economy and the avoidance of every expenditure which can possibly be dispensed with can he hope to do this. If any appropriations of this character were proper at all, they should have been placed in the bill making appropriations for ordinary repairs.

“For the construction of a draw in the bridge over the navigable channel of the Oneida river, at Brewerton, between the counties of Oswego and Onondaga, the sum of seven thousand five hundred dollars.”

This item is objected to, and not approved, for the same reasons given for disapproving the last mentioned item.

“For the construction of a lift-bridge over the Oswego canal, in the city of Syracuse, on Salina street, at its intersection with Bridge street, in place of the bridge now over said canal at that point, which was authorized by chapter three hundred and eighty-two of the Laws of eighteen hundred and seventy-four, the sum of twelve thousand dollars, or so much thereof as may be necessary.”

This item is objected to, and not approved, for the reasons given for disapproving the last mentioned item.

“For repairing the stop-gate in the Genesee river feeder at Rochester, and for draining and putting in sanitary condition said feeder, the sum of one thousand four hundred dollars, to be expended under the direction of the State Engineer and Surveyor.”

This item is objected to, and not approved, for the reasons given for disapproving the last mentioned item.

“For the construction of a suitable bridge over the Erie canal, in the village of Tonawanda, connecting Delaware street in Erie county with Main street in Niagara county, the sum of twelve thousand dollars; said bridge to be built of such materials and in such manner as the State Engineer and Surveyor shall direct; provided, however, that before said bridge shall be constructed, or any portion of this appropriation shall be expended, the village of Tonawanda and the owners of lands taken for or adjoining the site for said bridge shall indemnify and release the State from all and every claim for damages or compensation for land taken, or for other damages, and provided further that said village shall have first, at its own cost, constructed the necessary abutments and approaches for such bridge.”

This item is objected to, and not approved, for the reasons given for disapproving the last mentioned item.

(Signed)

L. ROBINSON.

Mr. Alvord moved that said message and bill be laid upon the table. Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Also, the following message :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 13, 1878. }

To the Assembly :

I return, without approval, Assembly bill No. 152, entitled "An act to incorporate the Tornado Hook and Ladder Company No. 1 of the village of Union, Broome county, New York."

This class of corporations may be organized under the general statutes of the State. Its creation by special act is, therefore, not within the power of the Legislature under the provisions of section 1 of article 8 of the Constitution.

L. ROBINSON.

Mr. Alvord moved that said message, with bill, be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Also, the following message :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 13, 1878. }

To the Assembly :

I return without approval Assembly bill No. 204, entitled "An act to extend the jail limits of Orange county."

Chapter 482 of the Laws of 1875, makes full and complete provision for cases of this sort. It is manifestly improper that the Legislature should interfere and by special act to do what is most carefully provided for by the general statute.

L. ROBINSON.

Mr. Graham moved that said message and bill be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Also, the following message :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, May 13, 1878. }

To the Assembly :

I return without approval Assembly bill No. 386, entitled "An act for the protection of fish in Esopus creek and its tributaries in the county of Ulster."

Chapter 482 of the Laws of 1875 has conferred upon boards of supervisors the power to protect and preserve, subject to the Laws of this State, fish and shellfish in all waters of the county. The intention of the statute is to delegate these matters to the local authorities, and there they should remain. Bills of this character have been uniformly disapproved where the supervisors had clearly the power to act in the premises.

L. ROBINSON.

Mr. Searing moved that said bill, with message, be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Also, the following message :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 13, 1878. }

To the Assembly :

I return, without approval, Assembly bill No. 367, entitled "An act in relation to canals."

The people of this State, having paid over thirty millions of dollars by direct taxation for the benefit of the canals, and finding their revenues diminishing and their expenses increasing, determined to make a complete change of canal administration and management. For this purpose they adopted in 1876, by a majority of over four hundred and fifty thousand, an amendment to the Constitution placing the whole power and responsibility of the management in the hands of one executive head, denominated the Superintendent of Public Works. It is a most important experiment, and it is not too much to say that upon its success depends the prosperity, if not the very existence, of the canals. Every officer of the government, every member of the Legislature, and every citizen of the State, should make all reasonable efforts to aid the Superintendent in producing the most favorable results.

After many delays and embarrassments, a superintendent was appointed, and entered upon his duties about three months ago. On the 15th of April, some two or three weeks earlier than usual, the principal canals were opened, and are now in full and successful operation, encouraging the hope of a largely increased business, and a material reduction in expenses, results which will be hailed with the highest satisfaction by all sincere friends of the canals and of the commercial prosperity of the State and city of New York.

At this trying crisis in the fate of the canals, the present bill is presented to me for approval, and it becomes my duty to examine it with reference to the effect which it may produce in securing or preventing the success of the trial in which we are engaged. I regret to find that it appears throughout to contain provisions none of which are likely to effect any good, and many of which cannot fail to embarrass seriously the Superintendent, and to retard all his efforts to produce the expected results. It seems to be, to a large extent, a reversal of the will of the people as expressed in the amendment to the Constitution. Many of its provisions are in direct conflict with that instrument. All of them appear to be in a spirit of hostility to it, as exemplified in the following brief statement:

First. The Constitution expressly charges the Superintendent with the "execution of all laws relating to the repair and navigation of the canals." This explicit provision necessarily carries with it the power to purchase materials and pay for them, to employ laborers and pay their wages, and certainly includes canal appropriation laws. The powers thus given by the Constitution are all taken away by this bill, and placed in the hands of paymasters, officers never before known in the administration of the canals, even when the expenses were at least eight times larger than they are expected to be under the Superintendent.

Second. The power to appoint all persons employed in the care and management of the canals except collectors of tolls, and that in the department of the State Engineer and Surveyor, is expressly given in the Constitution to the Superintendent. The bill takes away this power, and provides for the appointment of three paymasters by the Commissioners of the Canal Fund. If they may be authorized to appoint three, so they may be to appoint three hundred or any larger number, and also

purchasing agents, employing agents, inspectors, and so on until the Superintendent is shorn of every vestige of power which the Constitution has given him, and the canals involved in worse profligacy and ruin than that from which they have recently been rescued. It is worthy of note that in this section the bill overturns a provision of law which has existed ever since the institution of the Commissioners of the Canal Fund, requiring that at all their meetings the presence of the Comptroller should be necessary to make the quorum. This act dispenses with that requirement without, in form, repealing or amending it.

Third. The Constitution requires that the Superintendent and his assistants shall give security in such amounts as the Legislature shall require, and the Legislature, in view of the fact that all payments are to be made through the Superintendent and his assistants, fixed the security to be given by them at very large amounts, to wit, \$50,000 for the Superintendent and \$20,000 for each assistant. That security has been given, amounting in all to \$110,000. This act fixes no amount of security to be given by the paymasters, but leaves it to the Commissioners of the Canal Fund, who are to make the appointments, to fix the security at any sum which they may choose. A merely nominal sum would meet all the requirements of the bill. Still worse, it provides that in case of the disability of a paymaster the commissioners of the Canal Fund may appoint a person to discharge his duties temporarily. It contains no provision for requiring any security whatever from such temporary appointees, and defalcations by such substitutes might occur, for which the State would have no chance of reimbursement.

Fourth. The services of paymasters, if appointed, would be useless, embarrassing to the Superintendent, and a needless additional expense at a time when he is under the most absolute necessity of reducing his expenses to the lowest possible dollar. The whole amount appropriated for ordinary repairs for the current fiscal year, commencing October 1, 1877, was \$640,000. Of this sum the Canal Commissioners had expended \$263,067.66 before the Superintendent was appointed, leaving to him only the small sum of \$376,932.34 with which to pay all the expenses of opening the canals and keeping them in running order until the first of October next.

Fifth. The Constitution leaves it entirely optional with the Superintendent to appoint one or two, or three assistants, as he may deem proper. The bill, in direct violation of this provision, declares that he shall appoint three.

Sixth. The whole scope and spirit of the amendment puts it in the power of the Superintendent to make such divisions upon the canals as he may find most needful and convenient for their efficient and economical management. The bill provides that he shall divide the canals into three divisions, and that one of the proposed paymasters and one assistant superintendent shall be assigned to each division.

Seventh. The bill after making elaborate provisions of a character never before heard of in this State, forbidding the appointment or discharge of any person for political reasons, further prescribes that "Any three citizens of the neighborhood where such violation occurred who are cognizant of the same, may make complaint thereof on oath before a justice of the Supreme Court having jurisdiction in the county where such violation is alleged to have occurred, whose duty it shall be forthwith to summon before him such official against whom such charges have been made, to hear such charges, answer and determine the truth there-

of." The justice is to hear the proofs and give a certificate which may be presented to the Governor, and the Governor may remove the Superintendent. It is not likely that any justice of the Supreme Court could be found who would assume such a jurisdiction, and set up such an inquisition as is here provided. It is entirely foreign to all the powers given to the judiciary, or to the justices of that court by the Constitution. It is neither an action, nor a proceeding in law or equity, and the justice can neither give a judgment nor make an order in the matter. It is an empty extra-judicial proceeding altogether. The certificate which the justice is authorized to give is not of any fact, nor of any adjudication. It is simply the expression of opinion on the part of the justice as to what was the secret motive acting upon the mind of the Superintendent in making an appointment or a removal in the discharge of his duty. The presentation of it to the Governor, and the conferring upon him by this act of the power of removal, may be regarded as superfluous. The Constitution itself gives to him that power without the interposition of any justice, or any complainants, or any legislative act, if he chooses to exercise it; and he is fully clothed with the power to investigate every abuse, every act of mal-administration, and to make the removal whenever it appears proper to him.

Eighth. The complaint by three citizens may be made by any three disappointed applicants for places, or by any three discharged workmen, and it may be made to any justice having jurisdiction in the county, who is forthwith to summon the Superintendent before him to hear such complaints and answers. Every Justice of the Supreme Court has jurisdiction in every county of the State. And this action can be taken by the remotest justice in the State. The Superintendent may thus be summoned forthwith from Buffalo to Brooklyn, and before he is through with the hearing there, he may be summoned by another three complainants before a justice in St. Lawrence or Chautauqua counties on these errands which, as has been seen above, are to end in nothing, but which produce the annoyance and embarrassment of taking away forthwith at any time the Superintendent from the most important duties of his important position. It seems difficult to imagine any provision which could be more annoying to the Superintendent, more embarrassing to his action, more certain to bring disaster upon the experiment from which the people are hoping so much.

Ninth. Under the express and comprehensive prescription of the Constitution, the canals have been put in order and opened. A very considerable business has already been transacted and is upon the books of the department. Men are employed and plans matured. This act, if approved, is to take effect immediately, and will involve an entire change in the method of book-keeping and the accounts of the Canal Department. Confusion and uncertainty will be the inevitable result. Besides this, the bill forces upon the Superintendent the disadvantage of the credit system instead of cash payments for tools and materials, and thus two formidable difficulties are added to a situation already sufficiently involved.

Want of time prevents me from going into the details of many other objectionable features of the bill. From first to last its effect is to overthrow almost every provision of the amendment of the Constitution, to take away from the Superintendent all the powers which that amendment gives him, to leave him constantly at the mercy of disappointed applicants for places or discharged employes, to tie up his hands and

embarrass his action in every direction so as to prevent the possibility of his making the new system of administration a success. Its violations of the letter and of the whole tone and spirit of the Constitution are so apparent that the law would doubtless be held to be a nullity, if it were approved.

The new system might be aided to some extent by judicious legislation, but such legislation is not indispensable, as the Constitution gives ample powers in itself for the care and management of the canals, and it seems unwise to interfere with it whilst it is going on with every promise of success, before it has had a fair trial, through at least one season of navigation.

(Signed)

L. ROBINSON.

Mr. I. I. Hayes moved that said message, with bill, be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Senate was received and read informing of concurrence in the passage of the following resolution :

“*Resolved* (if the Assembly concur), That a respectful message be sent to His Excellency the Governor requesting the return of Senate bill No. 209, entitled “An act to repeal a part of an act entitled ‘An act to repeal certain acts and parts of acts,’” for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled “An act to confirm the election of village trustees in certain cases, and to provide for and determine, by lot, their respective terms of office,” with a message that they had concurred in the passage of the same, with the following amendments :

Strike out all after the enacting clause, and insert the following :

“SECTION 1. No election of trustees of any village incorporated since 1875, under chapter 291 of the Laws of 1870, entitled ‘An act to provide for the incorporation of villages,’ held in the year 1878, and before the passage of this act, shall be invalid on account of any failure of any of the electors at such election to designate in their ballots the respective terms of office of the persons voted for for such trustees, or on account of any disregard of such designation by the inspectors of such election in declaring the result thereof ; but the persons for whom a majority of votes shall have been cast shall be deemed duly elected trustees of said village, and such trustees shall, on or before the first day of June, 1878, meet, together with the president of such village, and the said president shall, in their presence, determine, by lot, who of said trustees shall serve for one year, and who of them for two years. The smallest majority of said trustees shall serve for two years, and the largest minority for one year. The president shall make and file in the office of the clerk of said village a certificate stating the names of said trustees, and the term of office of each as so determined.

“§ 2. The official acts of the trustees of such village since the annual election in the year 1875 are hereby legalized and confirmed, and shall be deemed of full force and validity.

"§ 3. Nothing herein contained shall affect any action or proceeding now pending in any court of this State.

"§ 4. This act shall take effect immediately."

The amendment having been read,

Mr. Speaker put the question whether the house would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	I. I. HAYES	MEAD	SEEBACHER
ALLEN	CRAWFORD	HENRY	MEKEEL	SHELDON
ALVORD	DALY	HEPBURN	J. H. MILLER	SKINNER
ANDREWS	DAY	HOBBIE	S. V. R. MILLER	SLITER
ASTOR	DEYOE	HOLAHAN	MOLLER	SUTHERLAND
BAKER	DOUGLASS	HOLBROOK	MOOERS	E. TAYLOR
BEARD	DUELL	HOYT	PALMER	TERRY
BERRIGAN	FLOYD-JONES	HULME	PARKER	THOMSON
BERRY	FLYNN	HURD	PATTENGILL	TOWNSLEY
BROOKS	FOSTER	JONES	CICERO C. PECK	VALENTINE
BROWNING	FRANK	KEEGAN	DEWITT C. PECK	WAKELY
BURNS	GALVIN	KING	PEEK	WEMPLE
CHAPPELL	GILBERT	LANGNER	PIPER	WILBOR
CHASE	GRADY	LOVELAND	REYNOLDS	WILLERS
CLAPP	GRAHAM	LOWING	ROBERTS	WILLIS
CLARK	GRIGGS	MATTISON	ROWLAND	WINCH
COSAD	HAVENS	MCDONOUGH	SEARING	

For the negative,

PRESCOTT

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The privileges of the floor were granted to Hon. Francis Spinola.

The Senate sent for concurrence the bill entitled as follows :

"An act to amend chapter 107 of the Laws of 1878, entitled 'An act requiring justices of the peace to give bonds,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, said bill was ordered to a third reading.

The Senate returned the bill entitled "An act to amend chapter 226 of the Laws of 1849, entitled 'An act to enforce the responsibility of stockholders in certain banking corporations and associations, as prescribed by the Constitution, and to provide for the prompt payments of demands against such corporations and associations,' passed April 5, 1849," with a message that they had concurred in the passage of the same, with the following amendments :

Page 2, engrossed bill, line 8, after the word "be," insert the word "severally."

Strike out all after the word "individually," in line 9, down to and including the word "association," in line 13, and insert the words "liable to an amount equal to the amount of stock held by them respectively, in addition to the sum invested in such stock."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 89.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRANDALL	HOBIE	NOYES	SLITER
ALVORD	CURRAN	HOLBROOK	PALMER	STORY
ASTOR	DAY	HOYT	PATTENGILL	SUTHERLAND
BAKER	DEYOE	HULME	PATTERSON	E. TAYLOR
BEARD	DOUGLASS	JONES	CICERO C. PECK	TERRY
BERGEN	DUELL	KEEGAN	DEWITT C. PECK	THOMSON
BERRIGAN	FLOYD-JONES	KERN	PEEK	TOWNSLEY
BERRY	FLYNN	KING	PIPER	VALENTINE
BROOKS	GALVIN	LANGNER	PRESCOTT	WADSWORTH
BRUNDAGE	GILBERT	LOVELAND	PROPER	WAKELY
CASE	GRADY	MATTISON	REYNOLDS	WARING
CHAPPELL	GRAHAM	MEKEEL	ROBERTS	WEMPLE
CHASE	GRIGGS	J. H. MILLER	ROWLAND	WILBOR
CLAPP	HALLIDAY	S. V. R. MILLER	SEARING	WILLERS
CLARK	HAMILTON	MOOERS	SEEBACHER	WILLIS
CONVERSE	HAVENS	MEYENBORG	SHANLEY	WINCH
CORMACK	I. I. HAYES	NEILSON	SHELDON	WORTH
COSAD	HENRY	NELSON	SKINNER	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to confer additional powers upon the common council of the city of New York," with a message that they had concurred in the passage of the same, with the following amendment:

Strike out all after the enacting clause, and insert the following:

"SECTION 1. The common council of the city of New York is hereby authorized to direct the department of public parks of the city of New York to restore Tompkins square as a public park or square.

"§ 2. To provide the means for the work authorized by the first section of this act, the comptroller of the city of New York is hereby authorized and directed to create and issue, after the said department of public parks has been so directed by the common council, and within twenty days after requisition is made on him to do so by resolution of the commissioners of the department of public parks of the city of New York, or a majority of them, in the name and on behalf of the mayor, aldermen and commonalty of the city of New York, a public fund or stock to an amount to be mentioned in said requisition, and not exceeding fifty thousand dollars, payable on the first day of November, eighteen hundred and seventy-nine, with interest at a rate not to exceed six per cent per annum, and the proceeds of said fund or stock shall be applied to payment for the work authorized by this act.

"§ 3. The board of estimate and apportionment of the city of New York is hereby directed to include in the final estimates of the amounts required to pay the expenses of conducting the public business of the city and county of New York, during the year eighteen hundred and seventy-nine, an amount sufficient to pay both principal and interest of the fund or stock authorized to be issued by this act.

"§ 4. This act shall take effect immediately."

Amend the title by striking out the word "additional," and adding, at the end thereof, the words "to restore Tompkins square as a public park."

Mr. Daly moved to non-concur in the amendments of the Senate made to said bill, and that a committee of conference be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee Messrs. Daly, Fish, I. I. Hayes, Fitzgerald, and Foster.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in their amendments, have appointed a committee of conference thereon, and request a like committee on the part of the Senate.

The Senate returned the bill entitled "An act to incorporate the Greenport Wharf Company," with a message that they had concurred in the passage of the same, with the following amendment:

Strike out section 8 and change section 9 to section 8.

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 93.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	J. HAYES	NELSON	SHELDON
ALLEN	COSAD	HOBBIE	NORTH	SKINNER
ALVORD	CRANDALL	HOLAHAN	PALMER	SLITER
ANDREWS	CRAWFORD	HOLBROOK	PARKER	STORY
ASTOR	DALY	HOYT	PATTENGILL	SUTHERLAND
BAKER	DAY	HULME	PATTERSON	E. TAYLOR
BEARD	DEYOE	JONES	CICERO C. PECK	J. T. TAYLOR
BERRIGAN	DOUGLASS	KEEGAN	DEWITT C. PECK	TERRY
BERRY	DUELL	KING	PEEK	THOMSON
BROOKS	FISH	LANGNER	PIPER	TOWNSLEY
BROWNING	FLOYD-JONES	LOVELAND	PRESCOTT	VALENTINE
BRUNDAGE	FLYNN	LOWING	REYNOLDS	WAKELY
BURNS	FOSTER	MATTISON	ROBERTS	WARING
CASE	GALVIN	MEAD	ROWLAND	WEMPLE
CHAPPELL	GRADY	MEKEEL	SAWYER	WILBOR
CHASE	GRAHAM	J. H. MILLER	SEARING	WILLERS
CLAPP	GRIGGS	S. V. R. MILLER	SEWELL	WILLIS
CLARK	HALLIDAY	MOOERS	SHEARD	WINCH
CONVERSE	HAVENS	MEYENBORG		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate returned the bill entitled "An act to empower the trustees of the village of Horseheads to build a dam across the Chemung canal, at any place they may select south of the junction of the Chemung canal and feeder, within the limits of the corporation of the village of Horseheads," with a message that they had concurred in the passage of the same, with the following amendment:

Add, at the end of section 1, the following:

"Nothing herein contained shall be construed to authorize the diversion of water from the Chemung canal into Newtown creek or elsewhere."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	NELSON	SHELDON
ALLEN	COSAD	HOYT	NOYES	SKINNER
ALVORD	CRANDALL	HULME	PALMER	SLITER
ANDREWS	CRAWFORD	JONES	PARKER	SUTHERLAND
ASTOR	DALY	KEEGAN	PATTERSON	E. TAYLOR
BAKER	DEYOE	KING	CICERO C. PECK	J. T. TAYLOR
BEARD	DOUGLASS	LANGNER	DEWITT C. PECK	TERRY
BERGEN	DUELL	LOVELAND	PEEK	THAIN
BERRIGAN	FISH	MAPES	PIPER	VALENTINE
BERRY	FLOYD-JONES	MATTISON	PRESCOTT	WAKELY
BROOKS	FOSTER	MEAD	PROPER	WARING
BROWNING	FRANK	MEKEEL	ROBERTS	WEMPLE
BRUNDAGE	GRADY	J. H. MILLER	ROWLAND	WHEELER
CASE	GRAHAM	S. V. R. MILLER	SAWYER	WILBOR
CHAPPELL	GRIGGS	MOORS	SEARING	WILLIS
CLAPP	HAMILTON	MEYENBORG	SEEBACHER	WINCH
CLARK	HAVENS	NEILSON	SHEARD	WORTH
CONVERSE	I. I. HAYES			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate sent for concurrence the bill entitled as follows:

"An act to amend chapter 121 of the Laws of 1878, entitled 'An act to amend chapter 135 of the Laws of 1876, entitled An act to authorize plankroad and turnpike companies formed under and by virtue of an act entitled An act to provide for the incorporation of companies to construct plankroads, and of companies to construct turnpike roads,' passed May 7, 1847, to extend their charter or corporate existence," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Speaker, and by unanimous consent, said bill was ordered to a third reading.

The Senate returned the bill entitled "An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs reservation, by the Commissioners of the Land Office,' " with a message that they had concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause, and insert the following:

"SECTION 1. The Commissioners of the Land Office are hereby authorized and required, upon the application of the Superintendent of the Salt Springs, to examine into the condition of the coarse salt vats and lands situated between the tracks of the New York Central and Hudson River railroad, in the town of Geddes, Onondaga county, and if it shall appear to them that the same have been rendered unsuitable for the manufacture of salt, by reason of the erection of fine salt chimneys in the neighborhood, or for other reasons for which the owners thereof are not responsible, they are hereby further authorized and required to appraise and estimate the value of said lands, and to dispose of them in the same manner as is provided by law for the sale of fine salt lands or lots, and shall procure for the lessees of said lands other lands suitable for their use, and the cost of said land so to be purchased, together with the expense of the removal of said vats, shall be paid from the proceeds of the lands so ordered to be sold.

"§ 2. The Superintendent of the Salt Springs shall have full charge of the removal of such vats, and the expense thereof be paid upon his certificate.

"§ 3. This act shall take effect immediately."

Change the title of the bill so as to read as follows :

"An act to authorize the sale of certain coarse salt lands, the removal of vats therefrom, and the purchase of other lands in lieu thereof."

Mr. Alvord moved to non-concur in the amendments made in the Senate to said bill, and asked that a conference committee be appointed on the part of the House, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee Messrs. Alvord, Cormack, Crandall, Williams, and Searing.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in their amendments to said bill, have appointed a committee of conference thereon, and request a like committee on the part of the Senate.

The Senate returned the bill entitled "An act in relation to the journals of the Senate and Assembly," with a message that they had concurred in the passage of the same, with the following amendments :

Strike out all of section 1.

Make section 2 section 1.

In line 6, section 2, strike out the word "second," and insert the word "first."

Make section 4 section 3.

Make section 5 section 4.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 90.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DOUGLASS	HULME	PALMER	SLITER
ALLEN	DUELL	JONES	PARKER	STORY
ALVORD	FISH	KELLOGG	PATTENGILL	STRACK
ASTOR	FLOYD-JONES	KING	CICERO C. PECK	SUTHERLAND
BERRY	FLYNN	LANGNER	DeWitt C. PECK	E. TAYLOR
BROOKS	FOSTER	LOVELAND	PEEK	THAIN
BROWNING	GALVIN	LOWING	PIPER	THOMSON
CASE	GILBERT	MAPES	PRESCOTT	TOWNSLEY
CHAPPELL	GRADY	MATTISON	PROPER	VALENTINE
CHASE	GRAHAM	MCDONOUGH	REYNOLDS	WADSWORTH
CLANCY	GRIGGS	MEKEEL	ROBERTS	WARING
CLAPP	HALLIDAY	J. H. MILLER	ROWLAND	WEMPLE
CLARK	HAVENS	S. V. R. MILLER	SAWYER	WILBOR
CONVERSE	I. I. HAYES	MOOERS	SEARING	WILLERS
CORMACK	HENRY	MEYENBORG	SHANLEY	WILLIAMS
CRAWFORD	HEPBURN	NEILSON	SHEARD	WILLIS
DAY	HOBBIE	NELSON	SHELDON	WINCH
DEYOE	HOYT	NOYES	SKINNER	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act for the distribution of the funds now in the insurance department, which funds now stand to the credit of the National Life Insurance Company of New York for the security of its policyholders," with a message that they had concurred in the passage of the same, with the following amendments :

After the word "the," the first time it occurs in the first line, section 3, insert the words "Supreme Court upon petition of."

After the word "superintendent," in line 1, section 3, strike out the word "shall," and insert in lieu thereof the word "may."

Strike out the word "commissioner" wherever it occurs in the bill, and insert in lieu thereof, in each instance, the word "referee."

After the word "said," the second time it occurs in the second line of the sixth section of the bill, insert the word "court," and strike out the word "superintendent" in said line; and strike out all of the said sixth section, after the word "rejected," in the third line of said section.

After the word "superintendent," in the first line of the seventh section, insert the words "on approval by the court of such report."

Change the eighth section so as to read as follows:

"§ 8. At the expiration of said thirty days, the said court may enter its order fixing the value and validity of each claim on the report of said referee and said superintendent; and upon such notice to the parties interested, or their attorneys, as the court shall direct, which order shall be final."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOBBIE	NOYES	SHEARD
ALLEN	CRAWFORD	HOYT	PALMER	SHELDON
ALVORD	CURRAN	HULME	PARKER	SKINNER
ANDREWS	DAY	JONES	PATTENGILL	STORY
ASTOR	DEYOE	KEEGAN	CICERO C. PECK	SUTHERLAND
BAKER	DOUGLASS	KING	DEWITT C. PECK	E. TAYLOR
BERGEN	DUELL	LANGNER	PEEK	TERRY
BERRIGAN	FISH	LOVELAND	PIPER	THAIN
BERRY	FLOYD-JONES	LOWING	PRESCOTT	THOMSON
BROOKS	FLYNN	MATTISON	PROPER	VALENTINE
BROWNING	FOSTER	MCDONOUGH	PURDY	WADSWORTH
BRUNDAGE	GALVIN	MEKEEL	REYNOLDS	WAKELY
CASE	GILBERT	J. H. MILLER	ROBERTS	WEMPLE
CHAPPELL	GRADY	S. V. R. MILLER	ROWLAND	WILBOR
CHASE	GRAHAM	MOLLER	SAWYER	WILLIAMS
CLANCY	GRIGGS	MOOERS	SEARING	WILLIS
CLARK	HAVENS	MEYENBORG	SHANLEY	WORTH
CONVERSE	HEPBURN	NELSON		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to authorize the commissioners for the erection of a city and county hall in the city of Buffalo and county of Erie to assign a portion of said building for the use of the coroners of said county," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, strike out the words "the south half of room number thirty-six," and insert in lieu thereof the words "a suitable room in said building."

Add at the end of section 1 the following: "but no inquest shall be held by either of said coroners within the said city and county hall."

The amendments having been read

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HOBBIE	MOOERS	SEARING
ALVORD	CURRAN	HOYT	NELSON	SHANLEY
ANDREWS	DALY	HULME	NOYES	SHEARD
ASTOR	DEYOE	HURD	PALMER	SHELDON
BERGEN	DOUGLASS	JONES	PARKER	SLITER
BERRIGAN	DUELL	KEEGAN	PATTENGILL	STORY
BERRY	FISH	KING	PATTERSON	SUTHERLAND
BOUCK	FLOYD-JONES	LANGNER	CICERO C. PECK	E. TAYLOR
BROOKS	FLYNN	LOVELAND	DEWITT C. PECK	THAIN
BROWNING	FOSTER	LOWING	PEEK	THOMSON
CASE	GALVIN	MAPES	PIPER	WADSWORTH
CHAPPELL	GILBERT	MATTISON	PRESCOTT	WAKELY
CHASE	GRADY	MEAD	PROPER	WEMPLE
CLAPP	GRAHAM	MEKEEL	PURDY	WILBOR
CLARK	GRIGGS	J. H. MILLER	REYNOLDS	WILLERS
CONVERSE	HAMILTON	S. V. R. MILLER	ROBERTS	WILLIS
CORMACK	HAVENS	MOLLER	ROWLAND	WORTH
CRANDALL	HEPBURN			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to secure better public administration in the city of New York," with a message that they had concurred in the passage of the same, with the following amendments :

Strike out all after the enacting clause, and insert the following :

"SECTION 1. No ordinance or resolution of the common council of the city of New York shall take effect unless approved by the mayor, or passed over his veto by a vote of three-fourths of all the members elected to said board.

"§ 2. No ordinance or resolution which involves any liability, or requires the expenditure, outlay or payment of money, shall be valid unless passed by a vote of three-fourths of all the members elected to said board.

"§ 3. When a proposed ordinance or resolution relates to an expenditure for which an assessment may be imposed, and unless and except when the proposed expenditure and assessment are for a sewer, culvert, receiving basin, drain or other work connected with the sewerage or drainage of said city, such ordinance or resolution shall not be passed unless the following facts shall appear to the satisfaction of the common council :

"1. That a petition for such improvement, subscribed by the owners, or their attorneys in fact, of at least one-half of the front feet on the line of the proposed improvement, exclusive of property owned by the city, has, after the passage of this act, been presented and filed with the clerk of the common council, and that each signature to such petition has been duly acknowledged and proved in the manner required by law for the record of deeds of real estate, the sufficiency of which acknowledgments or proofs shall have been certified to by the corporation counsel, or one of his assistants, in writing, attached thereto, and that such petition, acknowledgments, proofs, and certificate have been for at least ten days next preceding so filed and open to the inspection of all persons interested therein.

"2. That such petition, exclusive of the acknowledgments and proofs thereof, has, since its filing, been published in the City Record, by direction of the clerk of the common council, for at least ten days before any action is taken thereon. The resolution of the common council to the effect that such improvement has been petitioned for by the owners of at least one-half of the property, exclusive of property owned by the city, as herein required, and that such publication has been made, shall be conclusive evidence of such facts, and the same cannot thereafter be questioned in any manner whatever. Whenever an exception shall have been filed with the clerk of the common council to the sufficiency of any such petition, stating the grounds thereof, no action shall be taken by said common council in regard to said improvement until the corporation counsel, or one of his assistants, shall have certified to said common council, in writing, that in his opinion such petition is in conformity with the requirements of this section. And when the proposed ordinance or resolution relates to an expenditure for which no assessment can be imposed, such ordinance or resolution shall not be passed by the common council unless the head of the department or chief officer having charge of the execution of the matter to which the same relates, shall also certify that the expenditure proposed is required to be made for the necessary purposes of the city, and the reason for such necessity.

"§ 4. No work for which an assessment may be imposed, shall hereafter be proceeded with in said city, unless authorized by ordinance or resolution of the common council, passed as hereinbefore required, and no work authorized shall be performed except by contract entered into in the manner hereinafter required; provided that the expenditure of the department of docks may be made, as now provided by law, until the first day of January, eighteen hundred and seventy-nine; and provided further, that all works connected with the supply and distribution of pure and wholesome water in said city, shall and may be prosecuted in the manner now authorized by law; and, provided further, that it shall not be necessary to make a contract for any work or job, the whole expense of which shall not exceed the sum of two hundred and fifty dollars. No liability shall attach to the city of New York, nor shall any expense become chargeable upon any public fund therein on any contract hereafter made unless the same shall be entered into and executed according to the terms of this act; and whenever by any provision of law it is or it may be required or directed that a contract shall be founded on sealed bids or proposals, and whenever (unless with reference to expenses to be borne from the yearly taxes it is otherwise expressly provided, and excepting also the expenditures of the law department), any contract is to be entered into for an amount exceeding two hundred and fifty dollars, such contract hereafter to be made, and the expense thereof shall become and be a charge against the city or against the appropriate board or fund therein, as the case may be provided, however, that the officer entering into the same shall have first complied with the provisions of this section, and not otherwise. The following provisions shall be observed by every department, board or officer in said city authorized to make such contracts. And whenever the word "officer" is used in this act, it shall be held and construed to refer to and mean any and every department or departments, head of department, or head of departments, board or boards, head of board or heads of boards, officer or officers, agent or agents, employe or employes, and person or persons connected with the public business in said city of New York: First. The officer

charged with the duty of making any contract shall prepare and file in his office a form of proposed contract, including specifications for any work to be executed, or material or supply to be procured. Such specifications shall fully describe the work to be performed, and the materials and supplies to be furnished, and also the manner in which the same shall be performed, executed or furnished. They shall also state the quantities and quality of the work, material or supplies required, as nearly as the same can be ascertained. No such form of proposed contract, including specification, shall be filed until the form thereof shall have been approved by the counsel to the corporation. Second. Thereupon such officer shall cause to be published in the City Record, for at least ten days, a notice inviting proposals for the performance, execution or furnishing of such work, materials or supplies. Such notice shall state where the specifications thereof may be examined and the character and amount of security to be furnished. It shall also state when and where blank forms of proposals may be procured, when and where such proposals will be received, and when and where the same will be opened. Third the proposals shall be in such form as may be prescribed by the officer inviting the same, and shall contain the following particulars: 1. The name and place of residence of the person making the same. 2. The statement that such proposal is made without any connection with any other person submitting a proposal for the same contract, and is in all respects fair and free from collusion and fraud. 3. The statement that no person connected with the government of the city or county of New York, or any board, department or bureau therein, is directly or indirectly interested in such proposal, or in any work or supplies to which it relates, or in any profits to result therefrom. Such proposal shall be verified by affidavit subscribed by the party making the same, that the several statements therein contained are true. If any such statement therein contained shall be false, and known so to be to the person or persons subscribing the same, such person or persons shall be deemed guilty of perjury, and shall be liable to the punishment for that offense provided by law, and shall forfeit all rights resulting from such proposals. No proposal shall be accepted unless accompanied by the consent, in writing, of two freeholders, in the city of New York, that if the contract be awarded to the person making the proposal they will, upon its being so awarded, bind themselves in the amount specified in the notice inviting such proposal, which shall not be less than a sum equal to one-half of the estimated cost of the work, materials, or supplies, to be fixed by the officer in charge of the execution of the same, for the faithful performance of such contract. The consent of such freeholders before required shall be accompanied by the affidavit of each of the persons signing the same, to be taken before any officer authorized by law to administer an oath, that he is a freeholder in the city of New York, and is worth the amount of the security required for the completion of the contract and stated in the notice inviting proposals therefor, over and above all his debts of every nature, and over and above his liabilities as bail, surety, or otherwise, and that he has offered himself as a security in good faith, and with an intention to execute the bond required for such contract, if the contract shall be awarded to the person or persons for whom he becomes surety. Fourth. Whenever any proposal shall after the passage of this act have been accepted and the contract based thereon awarded pursuant to the provisions of law or ordinance, the contract thereunder, when executed by the contractor, as by this statute authorized, shall be

accompanied by a bond in the penalty mentioned in the notice inviting proposals therefor, executed by the persons consenting to become bound as sureties, or by such other persons as shall be substituted for them by the consent of the officer making such contract, conditioned for the faithful performance of the contract, and every provision therein contained. No contract, however, shall be executed unless the sureties proposed shall have been first approved by the comptroller, and his approval must also be obtained to the sufficiency of any substituted sureties.

“§ 5. At least five days' notice must be given by the head of the department or officer advertising for sealed bids and proposals to the comptroller, of the date and place fixed for opening the same, and at the time and place fixed, or at the adjourned meeting, as hereinafter provided, and in the presence of the comptroller, if he is in attendance, the bids or proposals shall be publicly opened by said head of department. The time for opening bids or proposals may be adjourned by the head of the department for any period not exceeding five days, and at least two days' notice must be given to the comptroller to attend at such adjourned meeting.

“§ 6. The lowest bid or proposal made in conformity to the provisions of this act, for work let on sealed bids or proposals, shall be accepted by the head of the department or officer, unless such officer shall, within five days after the bids are opened, certify to the comptroller, in writing, that it would, in his opinion, be for the public interest that the same should be rejected, and stating fully the reasons for such opinion. If, within ten days after such certification, the comptroller concur with the head of the department, such bid or proposal shall be rejected; but if said comptroller refuse or fail, within the time aforesaid, to concur, then the head of the department or officer shall accept said lowest bid.

“§ 7. If the lowest bid or proposal be rejected, or if the accepted bidder shall refuse or neglect for three days, after written notice, to give proper security to the satisfaction of the comptroller, or to execute, with his sureties, the contract, the work shall be readvertised and relet as hereinbefore provided, but the time above specified may be extended by the head of the department having charge of such work for not exceeding seven days; and whenever any contract is hereafter awarded and executed, and the contractor fails to proceed with the work, or abandons the same, the head of the department or officer having charge of such work shall give notice of such failure or abandonment to the sureties of the contractor; and it shall be the duty of such sureties, within ten days after such notice, to proceed with the work and continue the same until completed in accordance with the requirements of said contract. In all contracts hereafter executed, in name or in behalf of said mayor, aldermen and commonalty of said city, where, upon notice by the head of the department or officer having charge of such work, the sureties shall fail to proceed with the work, and continue the same until completion, or where, after such notice, the sureties shall, in the opinion expressed in writing by head of the department or officer, willfully violate any of the conditions of the contract or unnecessarily delay the completion thereof, then, and in either of such events, it shall be the duty of such head of department or officer to readvertise and relet the work as herein provided; and upon the same being completed pursuant to said reletting, the comptroller shall certify to the counsel to the corporation the expense of the work in all cases where such expense exceeds the amount provided in the original contract to be paid therefor; and it shall thereupon

be the duty of said counsel to commence and prosecute all actions and proceedings necessary to recover such expense so in excess from the contractor and his sureties, and to pay over the amount to the city treasury. But, nevertheless, if the work be one for which an assessment may be imposed, an assessment shall be imposed in the manner hereinafter prescribed for all expense on account of such work which may be incurred by said city, the amount of such expense to be determined by the certificate of the head of the department in charge of such work.

"§ 8. The head of the department or officer, when he accepts the lowest bid, and before entering into any contract for the performance of any work, for which work or any part thereof payment is to be made from moneys raised from assessment or from bonds other than revenue bonds so called, shall certify to the comptroller the expense of the same; and when a special appropriation has been made by the board of estimate and apportionment covering the expense of the work, the comptroller shall indorse the amount of such appropriation upon the certificate of the head of the department, and advise the department of such indorsement, whereupon the contract shall be entered into. But the provisions of this section shall not apply in cases where a contract has been executed after a special appropriation has been made for any particular work, and where the contractor and his sureties have failed to proceed with the work or have abandoned the same as in the preceding section provided, unless the lowest bid for such abandoned work, when readvertised and relet, exceeds the amount of such special appropriation, in which case such excess shall be certified by the head of the department or officer to the comptroller, and until a further special appropriation is made providing for such excess, no contract shall be entered into by said head of department for the completion of the work. No special appropriation shall at any time be made by the board of estimate and apportionment for any work in excess of the amounts authorized by law to be expended for such purpose.

"§ 9. Before any contract is entered into as herein provided, the person or persons whose bid is accepted must satisfy himself or themselves as to all matters relating to the work to be performed, and by entering into the contract such person or persons shall be excluded from thereafter raising any question or claim as to or on account of any representation by said mayor, aldermen and commonalty of the city of New York, or any officer or officers of said city in reference to any matter or thing relating to said work. No extra work shall be authorized by any contract.

"§ 10. On no contract for work, for which work or any part thereof payment is to be made from moneys raised or to be raised by assessment or from bonds other than revenue bonds so called, entered into as herein authorized, shall the said mayor, aldermen and commonalty of the city of New York be liable, and no judgment can be recovered thereon or entered, or execution issued or enforced against said city beyond the amount of the special appropriation made to cover the expense of the work embraced in such contract, and indorsed by the comptroller as aforesaid on the certificate of the head of the department and inserted in said contract as the consideration to be paid for the performance of the same. Provided that this section shall not be construed to refer to any part of such work which is specifically to be paid for out of the yearly appropriation from taxes.

"§ 11. Any officer or employe of the said mayor, aldermen and com-

monalty of the city of New York, or person appointed to perform or charged with performing any duty for said city, who knowingly shall include in any specification work not required or intended to be executed, or knowingly shall certify to the performance of any work which has not been executed, or to the performance of the same in accordance with the provisions of any contract or specification, when not in fact in accordance therewith, shall be guilty of a misdemeanor. Every officer, employe or other person who is charged with the duty of inspecting or supervising such work, or reporting upon the same to the head of the department, shall be held to have knowingly given such certificate when the same is not true, unless he can satisfactorily show to the contrary. Any person in this section referred to who makes or gives a false certificate as to the performance or execution of any work shall also forfeit his office or employment and all salary or pay due him, and shall not thereafter be employed in any capacity by or on behalf of the said mayor, aldermen and commonalty of the city of New York.

“§ 12. Inspectors and all other persons appointed to or charged with the duty of superintending or inspecting any work now being, or which may hereafter be performed, pursuant to any authority heretofore, or which may hereafter be given, must be persons of skill, having practical experience and knowledge of the particular description of work which they are appointed to superintend or inspect, and the head of any department or officer who knowingly, or without due and proper inquiry, appoints as an inspector or superintendent of any work any person not qualified as aforesaid, may be removed from office therefor, and such appointment shall be void.

“§ 13. No person whose appointment is void as aforesaid, or who being qualified as hereinbefore provided, is appointed inspector or superintendent of work, but who fails to be in daily attendance, unless absent from sickness or other sufficient cause, of which due notice shall be given to the head of the department in which he is employed inspecting or supervising such work as the same proceeds, shall have any claim against, or shall be paid or entitled to receive from the city any sum or sums whatever for or on account of any services rendered as such inspector, superintendent, or otherwise.

“§ 14. On any contract made or entered into prior to the passage of the statute chapter five hundred and eighty, Laws of eighteen hundred and seventy-two, and certified to by the commissioners appointed by said act, within the time fixed by said act, and before their final adjournment, and for which contract no assessment has been imposed, the contractor shall be charged, and shall pay to the city interest at the rate of seven per cent per annum for advances made from the date of the advance or payment to the date of the completion of the work and acceptance of the same by the department, and for advances on work executed under contracts certified as aforesaid, the comptroller shall certify to the board of assessors the interest at said rate on said advances from the date of the completion of the work, and on all advances for work executed otherwise than by contract, or pursuant to contract entered into subsequent to the passage of said statute chapter five hundred and eighty, Laws of eighteen hundred and seventy-two, from the respective dates of such advances or payments, and in each case until sixty days after the date of the comptroller's certificate. But no assessment shall be made by virtue of this section for any amount in excess of the sum actually advanced by the city, with the interest thereon. All assessments

hereafter imposed shall be made by the board of assessors on the certificate of the head of the department or officer charged with the execution of said work, of the total amount of all the expenses which shall have been paid or incurred, in pursuance of law, by the mayor, aldermen, and commonalty of said city for or on account of the same, and on the certificate of the comptroller, as herein required. And it shall be the duty of the board of assessors to assess, in the manner now authorized by law, upon the property benefited, such expenses and interest as shall be so certified, or such proportion thereof as is authorized by law, and no action or proceeding shall be competent to restrain, hinder or delay, the said board in the performance of this duty. The assessments for taxation made upon wharves, piers, and bulk-heads, in the city of New York, prior to May first, eighteen hundred and seventy-eight, are hereby confirmed, and such assessments shall be continued in the annual valuations of property subject to the annual revision of the commissioners of taxes and assessments of said city.

“§ 15. All assessments for street improvements executed under contracts shall be confirmed only by the affirmative action of the board of revision and correction of assessments thereon, and whenever there shall be any allegation of fraud or of the non-fulfillment of any obligation in any contract, the said board may, in its discretion, upon satisfactory evidence thereof, require the contractor to perform all the obligations of his contract before making the confirmation of the assessment for the work or improvement under such contract. No petition or proceeding to vacate, set aside, or affect any assessment which has been heretofore confirmed can be commenced after the expiration of three months after the passage of this act. The whole cost of any work for which assessments are authorized to be laid, shall hereafter be assessed upon the property benefited by the improvement; provided, however, that no assessment against any lot, piece, or parcel of property benefited by such improvement shall exceed one-half of the value of such lot, piece or parcel of property as valued by the proper officers in the department of taxes and assessments, including the value of buildings thereon. Property exempted by law from taxation may, by the proper officers of the department of taxes and assessments in said city, be valued for the purposes of assessment, which valuation shall be subject to annual revision by such officers, and no assessment for local improvement heretofore made on any property in said city shall be vacated or set aside for a failure to include the value of such property in the annual record of the assessed valuation of real and personal estates within the city and county of New York, and all such assessments so made, and not heretofore vacated or set aside by the order of the court, are hereby confirmed.

“§ 16. Whenever the board for the revision and correction of assessments shall consider it advisable in reference to any objection as to the want of power to make an assessment for any particular work, or when required to do so by the order of a judge of the Supreme Court, sitting at Chambers, on cause shown within ten days after the list shall have been transmitted to the said board, by any person making objections as to want of power as aforesaid, said board shall prepare an adjusted case which shall contain a concise statement of the facts and of the questions raised on the objection made, which adjusted case, signed by the members of said board, shall be submitted to the Supreme Court, general term, first judicial department, and shall have a preference before such court, and the decision of such general term upon the case submitted, after argu-

ment thereon, shall be final and conclusive on the question raised, and shall not be subject to appeal or review. The action of said board for revision and correction of assessments shall be in conformity with the decision so given, and the court may, by mandamus, compel such conformity.

“§ 17. After considering the objections to an assessment, if any be made, and the decision of said court when required on a case submitted, the said board shall determine the question raised, as to said assessment, and may correct the assessment in such manner as the board may determine to be just and proper. When an assessment is confirmed by said board, and the same is, when an adjusted case has been submitted as aforesaid, in conformity to the decision thereon, such assessment shall not thereafter be open to any objection, and no action or proceeding at law or in equity shall be competent to vacate or set aside said assessment, or remove the lien on the property assessed, or restrain the collection of the assessments or enforcement of the lien.

“§ 18. Whenever the commissioners of the sinking fund shall authorize the investment or payment of any moneys from the sinking funds for the redemption of the city debt, and the payment of interest on the city debt, the amounts required for such purposes shall be paid on the authority of said commissioners by warrant signed by the comptroller and countersigned by the mayor.

“§ 19. No head of department, chief of bureau, officer, clerk, or regular employe in any department of said city shall, after the thirty-first day of December, eighteen hundred and seventy-eight, be paid his salary, or any part or portion thereof, from the proceeds of bonds or stocks of said city. And after said date no payment shall be made from the proceeds of said bonds or stocks for the rent of offices or supplies for offices of any department, or of any officer or officers of said city. The board of estimate and apportionment shall provide for all necessary expenses for the purposes aforesaid, in the annual estimate, in the same manner as other expenses of the city government are now provided for. Nothing in this section contained shall be held to apply to revenue bonds, or the proceeds thereof, authorized to be issued in anticipation of the taxes of said city.

“§ 20. No demand, claim, or indebtedness of any character or description for any purpose whatever, arising after the passage of this act, and not payable from moneys raised by bond or assessment as hereinbefore provided, shall hereafter form, or be a charge or obligation of, upon or against the said city, if, at the time such alleged claim or indebtedness was incurred, there was not an amount of the annual appropriation made therefor remaining unexpended, and in excess of all liabilities theretofore incurred, and payable therefrom, sufficient to pay the same. Hereafter no judgment shall be enforced against said city upon any demand, claim, or indebtedness arising after the passage of this act, unless ordered by a judge of the court in which such action is pending after at least two days' notice to the counsel to the corporation, and upon the affirmative proof that there is in the treasury appropriated for the purpose, and in excess of the liabilities theretofore incurred, and payable therefrom, a sum sufficient to pay such judgment, or that such claim is authorized to be paid from the proceeds of the stocks or bonds of the said city (other than judgment bonds so called), and that there remains appropriated, but unissued, an amount of such bonds or stocks authorized by law to be issued sufficient to provide for and pay the same. As to any

claim incurred after this act, no judgment shall be entered against said city, except upon affirmative proof of the existence of a sufficient unexpended and unincumbered appropriation as hereinbefore provided, or else, except with reference to the law department, upon affirmative proof that a statement designating the proper appropriation, and the amount thereof applicable to such liability has been given and indorsed in the manner herein provided. It is hereby made the duty of every head of department in said city, except the law department, to transmit to the comptroller daily statements of the aggregate amount of liabilities payable from taxation incurred by this department upon the day of the date of such statement, and a designation of the particular appropriation against which such liabilities are to be charged. Thereupon the comptroller shall cause such liabilities to be entered in the books of the department of finance, so that the unexpended and unincumbered amount of each appropriation can be ascertained upon each day from an examination of such books. Whenever any such liability is incurred, except with reference to the law department, it shall be the duty of the officer incurring the same to deliver to the person with whom the transaction is had a statement designating the appropriation from which such liability is to be met, and informing him of his right to have the certificate of the comptroller of the amount applicable to the discharge of such liability indorsed on such statement. And when such statement is presented to the comptroller, it shall be his duty, within twenty-four hours thereafter, to indorse thereon the amount of the unexpended and unincumbered appropriation applicable to the discharge of such liability. For the purpose of providing for the payment of judgments which may be obtained against said city during the year eighteen hundred and seventy-eight, the comptroller, when authorized by the board of estimate and apportionment, may issue revenue bonds of the city not exceeding a total amount of five hundred thousand dollars, and in the annual estimate of eighteen hundred and seventy-nine, there shall be included an amount sufficient to pay for the revenue bonds issued as in this section provided, and interest thereon. Of the amount so raised the comptroller may apply such part thereof as he, in his discretion, may determine it shall in the interests of the city be proper to apply to pay the fair, just and reasonable value as such value shall after due investigation be ascertained by the comptroller of work actually executed for, or supplies actually furnished to the city and of which the city accepted and received the benefit prior to January first, eighteen hundred and seventy-seven, other than for advertising, or for printing, or for stationery prior to January first, eighteen hundred and seventy-two. In case an action has been, or may be brought, on any claim for such work or supplies, and now in litigation in the courts or has been adjudicated there upon the merits, such payment shall not be made unless first approved by the counsel to the corporation. A release and discharge must be executed and filed in the department of finance for each payment so made and the full particulars of such payment when made shall be published by the comptroller in the City Record. The comptroller shall pay the audited accounts for gas tax of the town of West Farms (annexed to the city of New York), out of any unexpended balances in his hands; and the assessments for said gas tax now in the finance department — bureau of arrears — are hereby legalized and confirmed, and shall be collected by the finance department, together with interest; the moneys so collected shall be paid into the treasury for the redemption of the city debt.

“§ 21. No action shall be maintained against said mayor, aldermen and commonalty, unless the claim or account on which the action is brought has been presented in detail, in writing, to the comptroller, nor until after the expiration of thirty days from the date of such presentation; every such alleged claim or account so presented for settlement, must set forth, with reasonable particularity, the grounds and items of claims, and the comptroller may, by subpoena signed by him, require any person presenting for settlement any such claim or account, to appear and be sworn before him touching the same, and when so sworn to answer orally to any facts relative to the justness of such claim or account. In the case of claims for salaries and wages, the transmission to the department of finance of the pay-roll stating the name of the officer or employe, his residence, official designation, term of service, the rate of salary or wages and the amount due, verified by the official signature of the proper officer or officers whose duty it is to transmit such pay-roll, shall be a sufficient presentation of all such claims to the comptroller under the requirements of this section. In case any claimant shall refuse to submit to such examination as hereinbefore provided, or shall refuse or willfully omit to answer any proper question, no action shall be maintained on such claim until such refusal or omission shall have ceased. No audit of any bill, account, claim or demand for which said city is liable, made by the board of supervisors of the county of New York, or by any auditing board or auditing officer prior to the thirtieth day of April, eighteen hundred and seventy-four, shall be evidence as to the correctness of said bill or account, or as to the liability of said city therefor. It shall be the duty of any person presenting any such claim or demand to the comptroller for settlement, or who has commenced or may hereafter commence an action for the payment of any such claim or demand, to show the validity and justness of the same, and the amount due and payable by the city thereon, independently of such audit, which shall not be evidence against said city in such action. Hereafter any audit of any claim against said city made by the board of aldermen must be approved by the comptroller, and only to the extent so approved shall the comptroller be required to pay the same. Nothing in this section contained shall be construed to revive or render legal any demand or claim which was, prior to the passage of this act, barred by any statute. In any action or special proceeding, any public record, report, book or account, estimate or document made or filed in pursuance of any official duty, by or to any public officer, department or board, may be read in behalf of said city or department, board or officer as presumptive evidence of the facts therein stated, and a copy thereof or extract therefrom purporting or proved to have been made or published by authority of any such officer, department or board, may be read in evidence with the same force and effect as if the said copy was original, subject to the right of the opposing party to rebut, contradict or explain such presumptive proof by putting in evidence the whole of such record, report, book, estimate or document, as so published, or by any other legal proof.

“§ 22. No reference to hear and decide the whole issue shall be ordered in any action or special proceeding wherein the mayor, aldermen and commonalty of the city of New York is a party, provided, always, that the court may, in its discretion, appoint a referee to take and report to the court the testimony relative to any specific question of fact involved therein, or to take and state an account for the information of the court. But this provision shall not apply to actions or proceedings in which a

reference has been heretofore ordered by the court to hear and determine the issue therein. All actions or proceedings to which the said mayor, aldermen and commonalty of the city of New York is a party, shall have a preference, and may be moved out of their order on the calendar.

"§ 23. The provisions of section two of chapter three hundred and seventy-nine of the Laws of eighteen hundred and sixty, with reference to the recovery of costs in actions or special proceedings against the mayor, aldermen and commonalty of the city of New York, shall not apply to any action or proceeding in which two hundred dollars or more shall be claimed, but less than fifty dollars shall be recovered.

"§ 24. In all civil actions or special proceedings wherein the said city of New York is a party, or wherein any department in said city, or the board of education in said city is a party, or wherein an officer, servant, or subordinate of such city, or of any such department or board is made a party on account of some official act, duty or default, it shall not be necessary for them, or either of them, to execute, deliver or file, or cause to be executed, delivered or filed, any bond, undertaking or security, unless the court in which such action or special proceeding is commenced or continued, shall otherwise direct; and notwithstanding the lack of such bond, undertaking or security, such city, department, board, officer, servant or subordinate, and each of them, shall be entitled to each and every provisional remedy and stay of proceedings which might properly be granted in such action or special proceeding had such bond, undertaking, or security been duly furnished. And in case any bond, undertaking, or security shall be required by the court in any such action or special proceeding, an undertaking, bond, or security may be executed in his official capacity, or by either the mayor or comptroller of said city, in the name and on behalf of said city, and the same shall be held and accepted in satisfaction of every requirement of law in such case, and shall bind the said city to the performance of the condition of the said bond, undertaking or security, but neither the said mayor or comptroller personally.

"§ 25. All expenditures of all departments, boards, commissions, and officers, except the police department and board, payable from the treasury of the city, shall be paid by and through the department of finance, by warrant drawn on a designated bank of deposit, signed by the comptroller and countersigned by the mayor and chamberlain upon a voucher for the amount named therein, after the account or claim has been duly examined, allowed, and certified by the auditor of accounts of the finance department, and approved by the comptroller, except in case of judgment against the city, when a transcript thereof shall be filed with the comptroller; and no warrant shall be drawn in any case, unless such expenditure shall be authorized by law or ordinance, and on account of an existing appropriation made for the purpose, to be referred to in each voucher, which shall be filed in the finance department. But a warrant may, at the discretion of the comptroller, be drawn for the whole or a part of the amount of any single pay-roll of officers or employes of any department, or of any board or commission, payable out of moneys in the treasury of the mayor, aldermen or commonalty of the city of New York, and any such warrant shall be drawn to the order of a person designated by the comptroller to make such disbursements, who shall give a bond to be approved by the comptroller for the faithful performance of such service. And the whole or any part of the amount of interest on stocks or bonds payable by the city of New York, accruing and

falling due on any one day, may be paid by a warrant for such amount drawn to the order of the comptroller and chamberlain, to be paid to the person or persons entitled to receive the same, by a check or checks drawn by the chamberlain and countersigned by the comptroller on the designated bank of deposit.

“§ 26. The quota of the State taxes, payable annually by the city and county of New York, shall be paid by the comptroller to the State Treasurer, without compensation, to the chamberlain, and the amount allowed by law for this service shall be paid into the sinking fund for the redemption of the city debt. The comptroller shall publish in the City Record and in pamphlet form, as he may determine, an annual report showing in detail the various transactions of the finance department, the amount of the city debt, and the operations of the city treasury, and of the sinking funds of the city, for the fiscal year ending on the thirty-first day of December, of each and every year hereafter.

“§ 27. No lease of any premises required for the use of the mayor, aldermen and commonalty of the city of New York, or the rent of which is paid from the treasury of said city, shall hereafter be made or entered into for a sum higher than the fair and reasonable rent of said premises, to be previously approved of by the comptroller, and no lease of any such premises shall hereafter be made or entered into for a period exceeding five years.

“§ 28. Nothing in this act contained or implied is intended, nor shall any part or implication thereof be taken, held or construed to legalize, validate or in any way affect, as against the city of New York, or as against any public officer or fund therein, any alleged claim or contract arising out of occurrences prior to the passage of this act, or to dispense with any legal provision in favor of said city applicable to any such alleged claim or contract, except when waived in behalf of said city by the comptroller acting pursuant to section twenty-two of this act.

“§ 29. All balances of appropriations made for the year eighteen hundred and seventy-six and previous years, for the expenses of the city or county of New York, remaining unexpended at the time of the passage of this act, shall lapse, cease and determine, except such amounts thereof as may be required to pay claims and accounts remaining unsettled and chargeable thereto respectively; and all balances of appropriations made for years subsequent to the year eighteen hundred and seventy-six which shall remain unexpended at the end of six months after the year for which such appropriations were made respectively, except such amounts thereof as in the judgment of the comptroller shall be required for the payment of claims and accounts chargeable thereto, shall lapse, cease and determine.

“§ 30. The estimated revenues of the general fund, including interest on assessments, shall hereafter in each year, before the final estimate is agreed to, be certified by the comptroller to the board of estimate and apportionment, and the said board shall deduct the amounts so certified from said final estimate, and only the amount of such estimate, after making such reduction, shall be certified by the comptroller to the board of aldermen, to be raised by tax. The said board of aldermen shall add to the amount so certified, such sums, not exceeding three per cent thereof, as said comptroller shall certify to be necessary to provide for deficiencies in the actual product of the amount of taxes imposed and levied therefor.

“§ 31. Section five of the act chapter two hundred and thirteen of the Laws of eighteen hundred and seventy-one, passed March twenty-

nine, eighteen hundred and seventy-one; section fourteen of chapter three hundred of the Laws of eighteen hundred and seventy-one, passed April five, eighteen hundred and seventy-one; the act, chapter five hundred and eighty-three of the Laws of eighteen hundred and seventy-one (except section seven of said act), passed April nineteen, eighteen hundred and seventy-one; the acts chapter nine, twenty-nine and four hundred and forty-four of the Laws of eighteen hundred and seventy-two, passed, respectively, January thirty, February nine and April thirtieth, eighteen hundred and seventy-two; chapter seven hundred and fifty-six of the Laws of eighteen hundred and seventy-three, passed June thirteen, eighteen hundred and seventy-three (except section three of said act); chapter seven hundred and fifty-eight of the Laws of eighteen hundred and seventy-three, passed June thirteen, eighteen hundred and seventy-three (except section three of said act), and all acts or parts of acts inconsistent with the provisions of this act are hereby repealed, as far as the same are now in force and effect, but such repeal shall not affect any taxes imposed under said statutes, or either of them, or any bonds or stocks of the city or county of New York, issued under or pursuant to the authority of said statutes, or any of them, nor shall such repeal create or revive or legalize any liability or claim against said city or county, or any public officer or fund thereof.

“§ 32. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

“§ 33. This act shall take effect immediately.”

Mr. I. I. Hayes moved to non-concur in the amendments made in the Senate to said bill, and that a committee of conference be appointed on the part of the Assembly, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee Messrs I. I. Hayes, Fish, Sewell, Grady, and Daly.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in their amendments made to said bill, have appointed a committee of conference thereon, and request a like committee on the part of the Senate.

A message from the Senate was received and read informing of non-concurrence in the passage of the bill entitled as follows:

“An act to provide for the formation of county co-operative insurance companies.”

The Senate returned the bill entitled “An act to exempt the counties of Wayne and Broome from the provisions and operation of chapter 180 of the Laws of 1875, entitled ‘An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,’” with a message that they had agreed to the report of the committee of conference on said bill, in the words following:

The committee of conference appointed by the Senate and Assembly in relation to the matters of difference between the two Houses upon Assembly bill entitled “An act to exempt the counties of Wayne and Broome from the provisions and operation of chapter 180 of the Laws of 1875, entitled ‘An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,’” having met and duly considered the same, have agreed to recommend that the

Assembly do concur in the amendments of the Senate to said bill, and recommend the following additional amendments :

Insert, after the word "Erie," the words "St. Lawrence, Schuyler, Rockland, Orange, Sullivan and Columbia."

A. T. GOODWIN,
THEO. M. POMEROY,
S. H. WENDOVER,
Senate Committee.

H. H. WAKELY,
A. B. HEPBURN,
JACKSON VALENTINE,
JAMES M. NELSON,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HULME	NOYES	SKINNER
ALLEN	CURRAN	HURD	PALMER	SLITER
ALVORD	DALY	JONES	PARKER	STORY
ANDREWS	DOUGLASS	KEEGAN	PATTENGILL	STRACK
ASTOR	FISH	KING	CICERO C. PECK	SUTHERLAND
BAKER	FITZGERALD	LANGNER	DEWITT C. PECK	E. TAYLOR
BERGEN	FLOYD-JONES	LOWING	PEEK	TERRY
BERRY	GILBERT	MAPES	PIPER	THAIN
BOUCK	GRADY	MCDONOUGH	PRESCOTT	THOMSON
BROWNING	GRAHAM	MEAD	PROPER	TOWNSLEY
BRUNDAGE	HAMILTON	MEKEEL	REYNOLDS	VALENTINE
CASE	HAVENS	J. H. MILLER	ROBERTS	WEMPLE
CLAPP	I. I. HAYES	S. V. R. MILLER	SAWYER	WILBOR
CLARK	HEPBURN	MOOERS	SEARING	WILLIAMS
CONVERSE	HOBBIE	MEYENBORG	SEWELL	WILLIS
CORMACK	HOLAHAN	NEILSON	SHEARD	WORTH
COSAD	HOYT	NELSON	SHELDON	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the committee of conference thereon.

The Senate returned the bill entitled "An act to amend the charter of the city of Rochester, and to change its boundaries," with a message that they had concurred in the passage of the same, with the following amendments :

Strike out all after the enacting clause, and insert the following :

"SECTION 1. Section nine of chapter four hundred and eighty-two of the Laws of eighteen hundred seventy-four, is hereby amended so as to read as follows :

"§ 9. The territory taken from the towns of Irondequoit, Brighton, Gates, and Greece, and included in the boundaries of the city of Rochester by this act, and the personal property of the inhabitants of said territory, shall be exempt from the payment of any part of the present city debt and interest thereon, and also debts embraced in what are known as the deficiency bonds of said city, and interest thereon, and from any debt hereafter contracted on account of the construction and completion of water-works of said city, and from any interest accruing thereon under chapter eighty-seven of the Laws of eighteen hundred and seventy-two, or otherwise, and from the payment of any taxes levied on account of the matters aforesaid, except as hereinafter provided ; and the said territory shall also be exempt from the payment of any part of

the municipal expenses of the city of Rochester, and taxes levied therefor, except for the support of the poor and of the schools of said city, for which said territory shall be liable. But whenever a majority in number and amount of the tax-payers upon any street or part of a street in said territory by this act annexed to the city of Rochester shall petition for the extension of water mains, or for lamps for lighting said street, or for police patrol of said street, or to be included in the district in which the fire department of said city shall attend to extinguish fires, or that said street shall share in the highway funds of the city, then, in either case, upon the granting of such petition, the taxable property and residents on said street, or part of a street, shall become jointly liable upon and for the whole expenditures thereafter of the city of Rochester, in said city, for the purpose and object so petitioned for, with the old territory of said city; and in case such petition be for the extension of water mains, said taxable property and residents on such street, or part of a street, shall become and be thereafter jointly liable with the old territory of said city and tax-payers thereof, for such portion of the debts contracted in the construction of water-works as shall then be unpaid and equally subject to taxation on account thereof; and it is hereby further provided, that the towns from which the territory hereby annexed to the city of Rochester is taken shall be released from the support of all paupers who are actually residents upon the territory so taken, and they shall thereupon become a charge upon the city of Rochester. The assessors of said city are hereby required to prepare an assessment roll for each of said wards created by this act, and deliver the same to the supervisors of said wards for the use of the board of supervisors of Monroe county on or before the first day of October, eighteen hundred and seventy-four.

"§ 2. All lands in the territory, by chapter 482 of the Laws of 1874 annexed to the city of Rochester used for the purpose of raising for sale seeds, nursery stock and farm products, shall be valued and assessed upon the assessment rolls of said city of Rochester as farming lands so long as the same shall be used therefor.

"§ 3. All acts and parts of acts, so far as they are inconsistent with this act, and apply to the city of Rochester, are hereby repealed or modified so as to conform hereto. But nothing in this act contained shall affect any taxes assessed and levied prior to the passage of this act upon the territory annexed to the city of Rochester by chapter 482 of the Laws of 1874.

"§ 4. This act shall take effect immediately."

Amend the title so as to read as follows:

"An act to amend chapter 482 of the Laws of 1874, entitled 'An act to amend the charter of the city of Rochester, and to change its boundaries.'"

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79.

NOES 1.

Those who voted in the affirmative, were

ALLEN	CROWLEY	HULME	NEILSON	SUTHERLAND
ALVORD	DAY	JONES	PARKER	E. TAYLOR
ASTOR	DEYOE	KEEGAN	PATTENGILL	J. T. TAYLOR
BAKER	DUELL	KELLOGG	CICERO C. PECK	THAIN

BEARD	FISH	KING	DEWITT C. PECK	THOMSON
BERGEN	FLOYD-JONES	LANGNER	PEEK	VALENTINE
BERRY	FLYNN	LOVELAND	PIPER	WADSWORTH
BOUCK	GILBERT	LOWING	PRESCOTT	WAKELY
BROWNING	GRADY	MAPES	PURDY	WARING
BRUNDAGE	GRAHAM	MATTISON	ROBERTS	WHEELER
CASE	GRIGGS	MEAD	SAWYER	WILBOR
CHAPPELL	HAMILTON	MEKEEL	SEARING	WILLERS
CLAPP	I. I. HAYES	J. H. MILLER	SHEARD	WILLIS
CLARK	HOBBIE	S. V. R. MILLER	SHELDON	WINCH
CORMACK	HOLBROOK	MOLLER	SKINNER	WORTH
CRANDALL	HOYT	MOOERS	SLITER	

For the negative,

CURRAN

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter 26 of the Laws of 1832, entitled 'An act extending the powers of county superintendents of the poor,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 720 of the Laws of 1871, entitled 'An act to establish a department of police in the city of Buffalo, and to provide for the government thereof,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act limiting the time for the commencement of certain actions and proceedings against the city of Brooklyn, providing for the discontinuance of certain other actions and proceedings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the city of Binghamton to use a portion of the Chenango canal for a public street," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on canals.

Mr. Berry called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 720, No. 571, "An act to amend 763 of the Laws of 1872, entitled 'An act to amend an act entitled An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and the acts amendatory thereof.'" [With amendments.]

Senate, G. O. 714, No. 140, "An act for the relief of John Mullen."

Senate, G. O. 505, No. 164, "An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled An act to incorporate the village of Bath, in the county of Steuben.'"

Senate, G. O. 733, No. 280, "An act amending the Code of Civil Procedure."

Senate, G. O. 699, No. 142, "An act in relation to devises and bequests to charitable, religious and other societies and corporations."

G. O. 510, No. 449, "An act relating to the preservation of records in the city of New York."

G. O. 539, No. 473, "An act respecting the collection of taxes in the city of Buffalo."

G. O. 529, No. 464, "An act to authorize the extending of State street in the city of Brooklyn to the East river and to the permanent bulkhead line."

G. O. 594, No. 510, "An act to provide for a ferry landing in the fourteenth ward of the city of Brooklyn."

Senate, G. O. 717, No. 242, "An act affecting certain streets within the improvement district of Long Island City."

G. O. 560, No. 430, "An act to provide for and encourage the construction of sidewalks in certain road districts in the town of Sidney, Delaware county."

G. O. 562, No. 491, "An act to amend chapter 116 of the Laws of 1859, entitled 'An act to consolidate and amend the several acts relating to the village of Cazenovia, to alter the bounds and to enlarge the powers of the corporation of said village.'"

G. O. 616, No. 523, "An act to release to Alice Casey the right, title and interest of the People of the State of New York in and to certain real estate in the town of Dryden, county of Tompkins."

G. O. 738, No. —, "An act to amend an act entitled 'An act to establish a department of police in the city of Buffalo, and to provide for the government thereof,' passed April 26, 1871."

G. O. 739, No. —, entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870."

The question being on agreeing to said report,

Mr. Waring moved to disagree with the report of said committee as far as relates to Assembly bill No. 464, entitled "An act to authorize the extending of State street, in the city of Brooklyn, to the East river, and to the permanent bulk-head line," and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said report, except so far as relates to Assembly bill No. 464, and it was determined in the affirmative, and said bills were ordered engrossed, and to a third reading.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Waring, and it was determined in the affirmative, and said bill was committed to the committee of the whole.

Mr. Langner moved that Senate bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" be substituted for Assembly bill on the same subject, now on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Berry, from the sub-committee of the whole, reported in favor of the passage of the following named bills:

Senate, G. O. 618, No. 198, entitled "An act to authorize the Attorney-General, the Superintendent of Public Works, and the Superintendent of State Prisons to have official seals."

G. O. 659, No. 545, entitled "An act in relation to the powers and duties of attorneys-at-law."

Senate, G. O. 685, No. 236, entitled "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings.'" [With an amendment.]

G. O. 702, No. 563, "An act to amend chapter 173 of the Laws of 1874,

entitled 'An act to fix the time for transacting the business of the town at the annual town meeting for election of town officers.'"

Senate, G. O. 715, "An act to authorize the appointment of a librarian to take charge of the library of the Sixth judicial district, and to provide for the insurance thereof."

Senate, G. O. 586, No. 52, "An act to provide a salvage corps for the protection of persons and property and against fire, in the city of Brooklyn, and to provide for the maintenance thereof."

Senate, G. O. 629, No. 204, "An act concerning the limits and jurisdiction of the State of New York and the State of Connecticut."

Senate, G. O. 662, No. 199, "An act to legalize the acts of surrogates and officers in granting letters of administration, and the issuing of such letters in certain cases."

Senate, G. O. 673, No. 183, "An act in relation to the Colored Home of the city of New York."

Senate, G. O. —, "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies.'"

Senate, G. O. 124, No. 16, "An act to amend section 69 of article 8, title 8, chapter 20, part 14 of the Revised Statutes, and section 7 of title 1, chapter 3 of the Revised Statutes."

Senate, G. O. 123, No. 11, "An act to amend chapter 449 of the Laws of 1876, entitled 'An act explaining, defining and regulating the effect and application of, and otherwise relating to the act passed at this session of the Legislature, entitled An act relating to courts, officers of justice, and civil proceedings.'"

G. O. 602, No. 513, "An act to regulate commitments of juvenile delinquents and other persons to charitable or reformatory institutions, where the same is a city or county charge."

Senate, G. O. 728, No. 278, "An act to further amend chapter 366 of the Laws of 1859, entitled 'An act to establish an insurance department.'"

Mr. Berry moved that said report be now considered, and that said bills be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Grady moved to disagree with so much of said report as relates to Assembly bill No. 513, entitled "An act to regulate commitments of juvenile delinquents and other persons to charitable or reformatory institutions, where the same is a county or city charge," and that said bill be recommitted to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Worth moved to disagree with so much of said report as relates to Senate bill, entitled "An act to amend chapter 449 of the Laws of 1876, entitled 'An act explaining, defining, and regulating the effect and application of, and otherwise relating to, the act passed at this session of the Legislature, entitled An act relating to courts, officers of justice, and civil proceedings,' " and that said bill be recommitted to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said report, excepting so far as relates to the above-named bills, and it

was determined in the affirmative, and said bills ordered engrossed, and to a third reading.

Mr. Bergen offered, for the consideration of the House, a resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill (not printed), entitled "An act to provide for a police commission in the town of New Lots, Kings county, and to establish a police force therein," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to repeal a part of an act entitled 'An act to repeal certain acts and parts of acts,' with a message that they had reconsidered the vote upon the final passage of said bill, and that they had amended the same in the words following :

"An act to repeal a part of chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,' so as to revive so much of chapter 438 of the Laws of 1872, entitled An act relating to courts of record and other courts in the city and county of New York, as relates to clerks of district courts in the city of New York.' "

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 11.

Those who voted in the affirmative, were

ABBOTT	DAY	JONES	PALMER	STORY
ALLEN	DEYOE	KEEGAN	PARKER	STRACK
ALVORD	DOUGLASS	KELLOGG	PATTENGILL	SUTHERLAND
ANDREWS	DUELL	KING	CICERO C. PECK	E. TAYLOR
BEARD	FISH	LANGNER	DEWITT C. PECK	J. T. TAYLOR
BERGEN	FLOYD-JONES	LOVELAND	PEEK	TERRY
BERRIGAN	FLYNN	LOWING	PIPER	THOMSON
BERRY	FOSTER	MEAD	PRESCOTT	TOWNSLEY
BOUCK	GILBERT	MEKEEL	PURDY	VALENTINE
CASE	GRAHAM	J. H. MILLER	ROBERTS	WADSWORTH
CHAPPELL	GRIGGS	S. V. R. MILLER	ROWLAND	WAKELY
CHASE	HALLIDAY	MOLLER	SAWYER	WARING
CLAPP	I. I. HAYES	MOOERS	SEARING	WEMPLE
CLARK	HENRY	MEYENBORG	SEWELL	WHEELER
CONVERSE	HOBBIE	NEILSON	SHEARD	WILBOR
CRANDALL	HULME	NORTH	SHELDON	WILLIAMS
DALY	HURD	NOYES	SKINNER	WILLIS

Those who voted in the negative, were

BROWNING	CURRAN	HOLAHAN	PATTERSON	SLITER
BURNS	GRADY	MCDONOUGH	SEEBACHER	THAIN
CRAWFORD				

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 9.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOLBROOK	MEYENBORG	SKINNER
ALLEN	DALY	HULME	NELSON	SLITER
ALVORD	DAY	HURD	PARKER	STORY

ANDREWS	DEYOE	JONES	PATTENGILL	STRACK
ASTOR	DOUGLASS	KEATOR	DEWITT C. PECK	SUTHERLAND
BAKER	DUELL	KEEGAN	PEEK	TERRY
BERGEN	FISH	KING	PRESCOTT	VALENTINE
BERRY	FLOYD-JONES	LANGNER	REYNOLDS	WADSWORTH
BOUCK	FLYNN	LOVELAND	ROBERTS	WAKELY
BROOKS	FOSTER	LOWING	ROWLAND	WEMPLE
CASE	GRIGGS	MAPES	SAWYER	WHEELER
CHASE	HAMILTON	MEKEEL	SEARING	WILBOR
CLAPP	HAVENS	J. H. MILLER	SEWELL	WILLIAMS
CLARK	I. I. HAYES	S. V. R. MILLER	SHANLEY	WILLIS
CONVERSE	J. HAYES	MOLLER	SHEARD	WINCH
CRANDALL	HENRY	MOOERS	SHELDON	WORTH

Those who voted in the negative, were

BEARD	BURNS	HOLAHAN	PATTERSON	THOMSON
BROWNING	GRADY	MCDONOUGH	THAIN	

Ordered, That the Clerk return said bill to the Senate, with a message, informing that the Assembly have concurred in the passage of the same, as amended.

The Senate returned the bill entitled "An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs reservation by the Commissioners of the Land Office,'" with a message assenting to a committee of conference thereon, and had appointed as such committee on their part, Messrs. McCarthy, Lynde and Goodwin.

The Senate returned the bill entitled "An act to secure better public administration in the city of New York," with a message assenting to a committee of conference thereon, and had appointed as such committee on its part, Messrs. Pomeroy, Harris and Ecclesine.

Mr. Fish moved that the Senate bill entitled "An act to prevent the removal of actions to the Circuit Court of the United States by foreign insurance companies," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved that this House do now adjourn, to meet to-morrow morning at nine o'clock A. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 10 o'clock P. M., the House adjourned.

TUESDAY, MAY 14, 1878.

The House met pursuant to adjournment.

Prayer by Rev. Dr. McBlaney.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Purdy offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill No. 548, G. O. 668, entitled "An act to promote improvement in the breeding, raising, and keeping of horses and cattle," be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Speaker, and by unanimous consent, the committee of the whole was discharged from the further consideration of Assembly bill, entitled "An act to provide for the laying out and improvement of the public squares and places established in Fourth avenue, in the city of New York, by chapter 528 of the Laws of 1873," and said bill was ordered to a third reading.

The privileges of the floor were granted to Hon. W. W. Stephenson.

By unanimous consent,

Mr. Langner offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 369, entitled "An act to authorize the city of Buffalo to raise money to aid in the construction of a soldiers' and sailors' monument," and that the same may be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Keegan offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 98, entitled "An act in relation to the city government of Long Island City," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. J. H. Miller, from the committee on game laws, to which was referred the Senate bill introduced by Mr. Rockwell, Int. No. 169, entitled "An act to amend chapter 421 of the Laws of 1877, entitled 'An act supplemental to an act entitled An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. E. Taylor, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Edick, Int. No. 241, entitled "An act granting power to the trustees of the village of Coopers-town to purchase a steam fire engine, and to issue bonds therefor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Waring, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 255, entitled "An act relative to the collection of taxes and assessments in the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Waring, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. D. W.C. Peck, from the committee on public education, to which was

referred the Senate bill introduced by Mr. Davenport, Int. No. 256, entitled "An act to set aside the Union Free school in joint school district, in the town of Tyrone, in the county of Schuyler, and the town of Wayne, in the county of Steuben," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Mekeel, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Case, from the committee on canals, to which was referred the bill introduced by Mr. Wakely, Int. No. 962, entitled "An act to extend the time for the sale of the Genesee Valley canal, as provided in chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights, and other property connected therewith,'" reported in favor of the passage of the same, with an amendment (Mr. Willers dissenting), which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Williams, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Hepburn, Int. No. 431, entitled "An act to amend chapter 465 of the Laws of 1877, entitled 'An act to amend the Revised Statutes in relation to the laying out of public roads and the alteration thereof,'" reported adversely thereto, which report was agreed to.

Mr. Berry moved to take from the table the report of the sub-committee of the whole as far as relates to Senate bill, entitled "An act to amend chapter 282 of the Laws of 1852, entitled 'An act defining the exemptions from taxation on public buildings in the city of New York,' and to extend the provisions thereof to the city of Brooklyn."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered to a third reading.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 219, entitled "An act to repeal part of chapter 860 of the Laws of 1873, entitled 'An act to open a square to be known as Putnam square, in the city of Brooklyn, and to improve the square at the junction of Underhill and Washington avenues, with Atlantic avenue and Pacific street in said city, the same to be known as Washington square,'" reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 247, entitled "An act to create a police pension fund for disabled and retired policemen in the city of Albany," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Fish, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill, Int. No. 231, entitled "An act in relation to cemeteries in the city of Brooklyn," reported in favor of the passage of the same, which

report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 158, entitled "An act to ratify and make valid a contract for filling lots on Third and Fourth avenues, between Union and Baltic streets, in the city of Brooklyn, and to authorize an assessment therefor," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 236, entitled "An act to further amend chapter 77 of the Laws of 1870, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act to establish a Capitol Police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Oakley, Int. No. 228, entitled "An act relating to the publication of legal notices in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed the committee of the whole.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, to which was referred the bill introduced by Mr. Worth, Int. No. 952, entitled "An act enlarging the powers of the recorder and police force of the city of Oswego," reported the same for the consideration of the House, and said bill was committed to the committee of the whole.

Mr. Gilbert, from the committee on the judiciary, presented a report in relation to Normal schools, with resolutions; which report was agreed to.

By unanimous consent,

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Griggs, Int. No. 871, entitled "An act to extend the time for the completion of the New York and Albany railroad," because of the report of a Senate bill for the same purpose, this bill is reported adversely, which report was agreed to.

By unanimous consent,

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Galvin, Int. No. 843, entitled "An act designating the place of assessment and taxation of the personal property of the New York Central and Hudson River Railroad Company," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Seebacher, Int. No. 502, entitled "An act relative to underground railroads in the city of New York," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Prescott, from the committee on railroads, to which was referred the bill introduced by Mr. Gilbert, Int. No. 414, entitled "An act to create

a board of railroad commissioners, and to regulate their powers," reported adversely thereto, which report was agreed to (Mr. Moller, dissenting).

By unanimous consent,

Mr. Prescott, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Hogan, Int. No. 244, entitled "An act to prevent trespassing and intrusion upon railroad cars and engines," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Waring, from the committee on affairs of cities, to which was referred the Senate bill Int. No. 235, entitled "An act relating to the assessment of real property in the city of Brooklyn, county of Kings, owned and occupied by charitable corporations, societies and institution," reported in favor of the passage of the same.

On motion of Mr. Waring, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Raines, Int. No. 230, entitled "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,'" reported in favor of the passage of the same, which report was agreed.

On motion of Mr. Grady, and by unanimous consent, said bill was ordered to a third reading.

The Senate sent for concurrence the bill entitled as follows:

"An act supplementary to an act entitled 'An act to amend an act to incorporate the city of Ogdensburgh, passed April 27, 1868, and the acts amending the same,' passed May 2, 1873, providing for a depository of the public funds of the said city," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Rowland, and by unanimous consent, said bill was ordered to a third reading.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to create a board of park commissioners, and to provide for the care, government, protection and improvement of the public park known as Ross park, in the city of Binghamton."

"An act to provide ways and means for the support of government."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read informing of concurrence in the passage of the resolution entitled as follows:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return of Assembly bill (not printed), entitled "An act to provide for a police commission in the town of New Lots, Kings county, and to establish a police force therein," for amendment.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the bills entitled as follows:

"An act in relation to certain public offices in the county of Kings."

"An act further to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof.'"

Ordered, That the Clerk return said bills to the Senate.

The Senate sent for concurrence the bill entitled as follows:

"An act to further amend chapter 175 of the Laws of 1870, entitled 'An act regulating the sale of intoxicating liquors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

The Senate returned the Senate bill entitled "An act for the relief of corporations formed under chapter 40 of the Laws of 1848, and acts amendatory thereof, in omitting to file either of the certificates required by the first section of said chapter," with a message that they had non-concurred in the amendments of the Assembly to said bill, and have appointed as a committee of conference, Messrs. Turner, Edick and Hughes, and request a like committee on the part of the Assembly.

Mr. Skinner moved that a like committee be appointed on the part of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Speaker then announced as such committee Messrs. Skinner, Kern, Prescott, Halliday and Allen.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon.

The Senate returned the bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn,'" with a message that they assent to a committee of conference on said bill, and have appointed as such committee, Messrs. Jacobs, Pomeroy and Lynde.

The Senate returned the bill entitled "An act to confer additional powers upon the common council of the city of New York," with a message that they had assented to a committee of conference on said bill, and had appointed as such committee Messrs. Goebel, Pomeroy and Wagstaff.

The Senate returned the concurrent resolutions proposing amendments to section 6 of article 10, and sections 3, 5 and 6 of article 3 of the Constitution, with a message that they had non-concurred in the passage of the same.

The Senate returned the following bills, with a message that they had concurred in the amendments of the Assembly thereto:

"An act to authorize the county clerk of Kings county to arrange, assort, and repair all judgments, decrees, orders, and other papers filed or deposited in Kings county clerk's office, and to record and certify mutilated or injured writings affecting the title to real estate in said county, and providing compensation for his services in that respect."

"An act to repeal a part of chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,' so as to revive so much of chapter 438 of the Laws of 1872, entitled 'An act relating to courts of record and other courts in the city and county of New York,' as relates to clerks of district courts in the city of New York."

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the Senate bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,'" with a message that they had non-concurred in the amendments of the Assembly to said bill, and have appointed as a committee of conference, Messrs. J. F. Pierce, Pomeroy and Hicks, and request a like committee on the part of the Assembly.

Mr. Worth moved that a like committee be appointed on the part of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then announced as such committee Messrs. Worth, Fish, Waring, Bergen, and Thain.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon.

By unanimous consent,

Mr. I. I. Hayes, from the committee on canals, to which was referred the Senate bill introduced by Mr. Loomis, Int. No. 475, entitled "An act to extend the time for the sale of the Genesee Valley canal, as provided in chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights, and other property connected therewith,'" reported in favor of the passage of the same (Mr. Willers dissenting), which report was agreed to, and said bill committed to the committee of the whole.

Mr. Speaker announced, pursuant to the ninth joint rule, order of business, third reading of bills.

The bill entitled "An act to authorize the city of Buffalo to borrow two thousand dollars to purchase land for reservoir for the Jubilee Water-works in said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 79.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	J. HAYES	J. H. MILLER	ROWLAND
ALVORD	CROWLEY	HEPBURN	S. V. R. MILLER	SAWYER
ASTOR	DEYOE	HOBBIE	MOLLER	SHEARD
BAKER	DOUGLASS	HOLBROOK	MOOERS	SHELDON
BATHE	DUELL	HOYT	NEILSON	SLITER
BERGEN	FISH	HULME	NELSON	STORY
BERRIGAN	FLOYD-JONES	HURD	NORTH	SUTHERLAND
BERRY	FLYNN	JONES	NOYES	E. TAYLOR
BROOKS	FOSTER	KEATOR	PALMER	THAIN
BROWNING	GALVIN	KEEGAN	PARKER	VALENTINE
CASE	GILBERT	KELLOGG	PATTENGILL	WAKELY
CHAPPELL	GRADY	KING	CICERO C. PECK	WEMPLE
CHASE	GRAHAM	LANGNER	DEWITT C. PECK	WILBOR
CLAPP	GRIGGS	LOVELAND	PEEK	WILLIAMS
CLARK	HAMILTON	MAPES	PIPER	WILLIS
CORMACK	I. I. HAYES	MEKEEL	PRESCOTT	

Those who voted in the negative, were

SKINNER THOMSON

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to legalize the acts and proceedings of the inhabitants and trustees of school district No. 29, in the town and county of Onondaga," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ALLEN	DUELL	KING	PATTENGILL	STORY
ALVORD	FISH	LANGNER	CICERO C. PECK	E. TAYLOR
ANDREWS	FITZGERALD	LOVELAND	PEEK	TERRY
BAKER	FLOYD-JONES	MAPES	PIPER	THAIN
BEARD	FLYNN	MCDONOUGH	PRESCOTT	THOMSON
BERGEN	FOSTER	MEKEEL	PURDY	TOWNSLEY
BERRY	GALVIN	J. H. MILLER	REYNOLDS	VALENTINE
BROOKS	GRADY	S. V. R. MILLER	ROWLAND	WADSWORTH
BROWNING	GRAHAM	MOLLER	SEARING	WAKELY
BRUNDAGE	GRIGGS	MOOERS	SEEBACHER	WARING
CHAPPELL	I. I. HAYES	MEYENBORG	SEWELL	WEMPLE
CLAPP	J. HAYES	NEILSON	SHANLEY	WILBOR
CORMACK	HOYT	NELSON	SHEARD	WILLERS
CRANDALL	HULME	NORTH	SHELDON	WILLIAMS
CROWLEY	HURD	NOYES	SKINNER	WILLIS
DALY	JONES	PALMER	SLITER	WORTH
DEYOE	KEEGAN	PARKER		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Story moved to discharge the committee of the whole from the further consideration of Assembly bill entitled "An act to further amend chapter 77 of the Laws of 1870, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act to establish a capitol police district, and to provide for the government thereof,' passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

The bill entitled "An act to authorize the county clerk of Cattaraugus county to make and to certify to copies of the surveys and maps of the Allegany reservation as made by United States commissioners," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOBBIE	MOOERS	SEARING
ALLEN	CORMACK	HOLBROOK	MEYENBORG	SHELDON
ALVORD	CRAWFORD	HOYT	NEILSON	SKINNER
ANDREWS	CROWLEY	HURD	NORTH	SLITER
ASTOR	DALY	JONES	NOYES	STORY
BAKER	DEYOE	KEATOR	PALMER	E. TAYLOR
BEARD	DUELL	KERN	PATTENGILL	TERRY
BERGEN	FISH	KING	DEWITT C. PECK	THAIN
BERRY	FLOYD-JONES	LANGNER	PEEK	TOWNSLEY
BOUCK	FLYNN	LOVELAND	PIPER	VALENTINE
BROOKS	FOSTER	MAPES	POOL	WADSWORTH
BROWNING	GALVIN	MEAD	PRESCOTT	WAKELY
BRUNDAGE	GILBERT	MEKEEL	PURDY	WARING
CHAPPELL	GRADY	J. H. MILLER	REYNOLDS	WEMPLE
CHASE	GRIGGS	S. V. R. MILLER	ROBERTS	WILBOR
CLAPP	I. I. HAYES	MOLLER	SAWYER	WILLERS

For the negative,

PARKER

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to legalize the action of the annual town meeting of the town of Johnstown, in the county of Fulton, held on the 12th and 13th days of February, 1878, in raising money for roads and bridges, and authorizing the collection thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80. NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOBBIE	MEYENBORG	SHANLEY
ALLEN	CRANDALL	HOLAHAN	NEILSON	SHEARD
ALVORD	CRAWFORD	HOYT	NELSON	SHELDON
ANDREWS	DALY	HURD	NORTH	SKINNER
ASTOR	DEYOE	JONES	NOYES	STORY
BAKER	DOUGLASS	KEATOR	PALMER	E. TAYLOR
BATHE	DUELL	KELLOGG	PARKER	TERRY
BERGEN	FISH	KING	PATTENGILL	THAIN
BERRY	FLOYD-JONES	LOVELAND	CICERO C. PECK	THOMSON
BOUCK	FOSTER	MCDONOUGH	DEWITT C. PECK	TOWNSLEY
BROOKS	GALVIN	MEAD	PEEK	VALENTINE
BROWNING	GILBERT	MEKEEL	PIPER	WAKELY
BRUNDAGE	GRADY	J. H. MILLER	POOL	WEMPLE
CHAPPELL	GRIGGS	S. V. R. MILLER	PURDY	WILBOR
CLAPP	HAVENS	MOLLER	SAWYER	WILLIAMS
CONVERSE	I. I. HAYES	MOOERS	SEARING	WILLIS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to authorize the electors of the town of Greenburgh residing within the village of White Plains to vote for commissioners of highways of the town of Greenburgh, in the county of Westchester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOYT	NOYES	E. TAYLOR
ALVORD	CORMACK	HULME	PALMER	TERRY
ANDREWS	CROWLEY	HURD	CICERO C. PECK	THAIN
ASTOR	DAY	JONES	DEWITT C. PECK	THOMSON
BAKER	DUELL	KING	PEEK	TOWNSLEY
BEARD	FISH	LANGNER	PIPER	VALENTINE
BERGEN	FLOYD-JONES	LOVELAND	PRESCOTT	WADSWORTH
BERRY	FLYNN	MATTISON	ROBERTS	WAKELY
BOUCK	FOSTER	MCDONOUGH	SEARING	WARING
BROOKS	GALVIN	J. H. MILLER	SEEBACHER	WILBOR
BROWNING	GRADY	S. V. R. MILLER	SEWELL	WILLERS
BRUNDAGE	GRAHAM	MOLLER	SHEARD	WILLIAMS
CASE	GRIGGS	MOOERS	SHELDON	WILLIS
CHAPPELL	HALIDAY	NELSON	SKINNER	WINCH
CHASE	HAVENS	NORTH	SUTHERLAND	WORTH
CLAPP	HOBBIE			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to revise the charter of the city of Syracuse,' passed March 3, 1857; and also to amend an act entitled 'An act to revise the charter of the city of Syracuse,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HULME	NEILSON	SKINNER
ALLEN	CRANDALL	HURD	NORTH	STORY
ALVORD	CRAWFORD	JONES	PARKER	SUTHERLAND
ANDREWS	CROWLEY	KEATOR	PATTENGILL	E. TAYLOR
ASTOR	DAY	KEEGAN	CICERO C. PECK	TERRY
BAKER	DEYOE	KELLOGG	DEWITT C. PECK	THAIN
BATHE	DUELL	KING	PEEK	WADSWORTH
BERGEN	FISH	LOWING	PIPER	WAKELY
BERRIGAN	FLOYD-JONES	MATTISON	POOL	WARING
BERRY	FLYNN	MEAD	PRESCOTT	WEMPLE
BROOKS	GALVIN	MEKEEL	PURDY	WHEELER
BROWNING	GRADY	J. H. MILLER	SAWYER	WILBOR
BRUNDAGE	GRAHAM	S. V. R. MILLER	SEARING	WILLERS
CASE	HAMILTON	MOLLER	SEWELL	WILLIS
CHAPPELL	I. I. HAYES	MOOERS	SHEARD	WINCH
CLAPP	HOBBIE	MEYENBORG	SHELDON	WORTH
CONVERSE	HOLBROOK			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to extend the time for the completion of the New York and Albany railroad," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	J. HAYES	MOLLER	SEWELL
ALLEN	CORMACK	HEPBURN	MOOERS	SHEARD
ALVORD	COSAD	HOBBIE	MEYENBORG	SHELDON
ANDREWS	DALY	HOYT	NEILSON	SKINNER
ASTOR	DAY	HULME	NORTH	SLITER
BAKER	DEYOE	HURD	NOYES	SUTHERLAND
BATHE	DOUGLASS	JONES	PARKER	E. TAYLOR
BEARD	DUELL	KELLOGG	PATTENGILL	TERRY
BERRIGAN	FISH	KING	CICERO C. PECK	THAIN
BERRY	FITZGERALD	LOVELAND	DEWITT C. PECK	THOMSON
BROOKS	FLOYD-JONES	LOWING	PIPER	WADSWORTH
BROWNING	GALVIN	MAPES	PRESCOTT	WAKELY
BRUNDAGE	GRADY	MEAD	PURDY	WEMPLE
CASE	GRIGGS	MEKEEL	ROBERTS	WILBOR
CHAPPELL	HALLIDAY	J. H. MILLER	SAWYER	WILLERS
CHASE	I. I. HAYES	S. V. R. MILLER	SEARING	WILLIS
CLAPP				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Gilbert, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to provide for the building of a town house in the town of Sparta, in the county of Livingston."

"An act in relation to suits brought to remove clouds upon title of real estate."

"An act to provide for the records of boards of supervisors and the preservation of same in county clerks' offices."

"An act to amend chapter 426 of the Laws of 1847, as re-enacted by section 32 of chapter 628 of the Laws of 1874."

"An act to amend chapter 195 of the Laws of 1846, entitled 'An act to authorize the New York and New Haven Railroad Company to extend their railroad from the Connecticut line to the New York and Harlem railroad.'"

"An act in relation to elections in the city of Albany, and to provide for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage thereat."

"An act in relation to the adoption of children."

"An act granting additional powers to courts of record."

"An act for the relief of John Hogan and to authorize the comptroller of the city of New York to pay the amount which may be found due from said city to said Hogan, for granite furnished for a bridge in said city."

"An act to provide for the proper lighting of the structures of the elevated railways in the city of New York."

The Senate bill entitled "An act to authorize the board of supervisors of the county of Broome to issue bonds for the purpose of raising money to pay the indebtedness of the county to the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DAY	HULME	PALMER	SLITER
ALLEN	DEYOE	JONES	PATTENGILL	STRACK
ALVORD	DUELL	KEATOR	CICERO C. PECK	SUTHERLAND
ANDREWS	FISH	KELLOGG	DEWITT C. PECK	E. TAYLOR
ASTOR	FLOYD-JONES	KING	PEEK	TERRY
BEARD	FOSTER	LANGNER	PIPER	THAIN
BERGEN	GALVIN	LOWING	PRESCOTT	THOMSON
BROWNING	GILBERT	MATTISON	REYNOLDS	TOWNSLEY
BRUNDAGE	GRADY	MEAD	ROBERTS	VALENTINE
CASE	GRIGGS	MEKEEL	ROWLAND	WADSWORTH
CLAPP	HALLIDAY	J. H. MILLER	SAWYER	WAKELY
CONVERSE	HAVENS	S. V. R. MILLER	SEARING	WARING
CORMACK	I. I. HAYES	MOLLER	SHANLEY	WEMPLE
COSAD	J. HAYES	MOOERS	SHEARD	WILBOR
CRANDALL	HEPBURN	NEILSON	SHELDON	WILLS
CURRAN	HOYT	NORTH	SKINNER	WINCH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend title 7 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	NEILSON	SKINNER
ALLEN	CRANDALL	HOLBROOK	NORTH	SLITER
ALVORD	CROWLEY	HULME	PALMER	STORY
ANDREWS	DEYOE	JONES	PARKER	E. TAYLOR
ASTOR	DOUGLASS	KEEGAN	PATTENGILL	TERRY
BAKER	DUELL	KELLOGG	DeWITT C. PECK	THAIN
BATHE	FISH	KING	PEEK	THOMSON
BERGEN	FITZGERALD	LOVELAND	POOL	TOWNSLEY
BERRIGAN	FLOYD-JONES	MAPES	PRESCOTT	VALENTINE
BERRY	FOSTER	MCDONOUGH	PURDY	WADSWORTH
BROOKS	GALVIN	MEAD	REYNOLDS	WARING
BROWNING	GRADY	MEKEEL	ROBERTS	WHEELER
BRUNDAGE	GRAHAM	J. H. MILLER	SAWYER	WILBOR
CASE	GRIGGS	S. V. R. MILLER	SEWELL	WILLERS
CHAPPELL	I. I. HAYES	MOLLER	SHANLEY	WILLIS
CHASE	J. HAYES	MOOERS	SHEARD	WINCH
CLAPP	HEPBURN	MEYENBORG	SHELDON	WORTH
CONVERSE				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act relating to the publication of notices of sales in foreclosure in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 81.

NOES 6.

Those who voted in the affirmative, were

ABBOTT	CLARK	HOLBROOK	PATTERSON	SKINNER
ALLEN	CONVERSE	HOYT	DeWITT C. PECK	STORY
ALVORD	CORMACK	HULME	PIPER	SUTHERLAND
ANDREWS	COSAD	JONES	POOL	E. TAYLOR
ASTOR	CRANDALL	KEEGAN	PRESCOTT	TERRY
BAKER	CRAWFORD	KING	PROPER	THAIN
BATHE	CROWLEY	LOVELAND	PURDY	THOMSON
BEARD	DAY	MCDONOUGH	REYNOLDS	TOWNSLEY
BERGEN	DEYOE	MEAD	ROBERTS	WADSWORTH
BERRY	FLOYD-JONES	MEKEEL	SAWYER	WHEELER
BROOKS	GRADY	MOLLER	SEARING	WILBOR
BROWNING	HAMILTON	MEYENBORG	SEEBACHER	WILLERS
BRUNDAGE	HENRY	NEILSON	SEWELL	WILLIAMS
CASE	HEPBURN	NELSON	SHANLEY	WILLIS
CHAPPELL	HOBBIE	NORTH	SHEARD	WINCH
CLANCY	HOLAHAN	PARKER	SHELDON	WORTH
CLAPP				

Those who voted in the negative, were

DUELL	FITZGERALD	FLYNN	MAPES	STRACK
FISH				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Beard offered, for the consideration of the House, resolutions in the words following:

Whereas, Numerous articles have been stolen from the Assembly chamber, cloak-room, and post-office during the last few days; be it, therefore,

Resolved, That no person be allowed in the cloak-room or Assembly chamber, except members and officers of the House, during the remaining days of this session, and the janitor and his assistants be required to take charge of the Assembly chamber and cloak-rooms during the recess.

Resolved, That the chief of police of Albany be requested to detail a detective for duty at the Capitol until the final adjournment.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

The Senate bill entitled "An act to amend chapter 440 of the Laws of 1876, entitled 'An act to amend an act entitled An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amendatory of the same, passed March 4, 1872," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CURRAN	HOLAHAN	NELSON	SHELDON
ALVORD	DALY	HOYT	NORTH	SKINNER
ANDREWS	DAY	HURD	PALMER	SUTHERLAND
ASTOR	DELL	JONES	PARKER	E. TAYLOR
BATHE	FISH	KEEGAN	PATTENGILL	TERRY
BERGEN	FLOYD-JONES	KING	CICERO C. PECK	THAIN
BERRIGAN	FOSTER	LANGNER	DEWITT C. PECK	THOMSON
BOUCK	GALVIN	LOVELAND	PIPER	TOWNSLEY
BROOKS	GILBERT	MATTISON	PRESOTT	WARING
BROWNING	GRADY	MEAD	PURDY	WHEELER
BRUNDAGE	GRAHAM	MEKEEL	REYNOLDS	WILBOR
CASE	HAVENS	J. H. MILLER	ROWLAND	WILLERS
CLAPP	I. I. HAYES	S. V. R. MILLER	SEEBACHER	WILLIAMS
CONVERSE	J. HAYES	MOLLER	SHANLEY	WILLIS
CORMACK	HEPBURN	MOOERS	SHEARD	WINCH
CROWLEY	HOBBIE	MEYENBORG		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to provide for the opening, grading, and paving of a certain portion of De Kalb avenue, in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	I. I. HAYES	MOOERS	SHEARD
ALLEN	CONVERSE	J. HAYES	MEYENBORG	SHELDON
ALVORD	CROWLEY	HEPBURN	NORTH	SKINNER
ANDREWS	CURRAN	HOBBIE	PALMER	STORY

ASTOR	DALY	HOLAHAN	PARKER	SUTHERLAND
BAKER	DAY	HULME	PATTERSON	E. TAYLOR
BERGEN	DUELL	JONES	CICERO C. PECK	THAIN
BERRIGAN	FISH	KEATOR	DEWITT C. PECK	VALENTINE
BERRY	FLOYD-JONES	KEEGAN	PIPER	WADSWORTH
BOUCK	FLYNN	KING	PRESCOTT	WAKELY
BROOKS	FOSTER	LOVELAND	PURDY	WARING
BROWNING	GALVIN	LOWING	REYNOLDS	WHEELER
BRUNDAGE	GRADY	MCDONOUGH	ROBERTS	WILLERS
CASE	GRAHAM	MEKEEL	ROWLAND	WILLIAMS
CHAPPELL	GRIGGS	J. H. MILLER	SAWYER	WINCH
CHASE	HAMILTON	S. V. R. MILLER	SHANLEY	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 135 of the Laws of 1860, entitled 'An act in relation to district attorneys.'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CLARK	GRAHAM	J. H. MILLER	SUTHERLAND
ALLEN	CORMACK	HAMILTON	S. V. R. MILLER	E. TAYLOR
ALVORD	COSAD	HAVENS	MOOERS	TERRY
ANDREWS	CRANDALL	I. I. HAYES	MEYENBORG	THAIN
ASTOR	CROWLEY	HEPBURN	NORTH	THOMSON
BAKER	DALY	HOBBIE	CICERO C. PECK	VALENTINE
BATHE	DAY	HOLAHAN	DEWITT C. PECK	WADSWORTH
BERGEN	DEYOE	HULME	PEEK	WAKELY
BERRIGAN	DUELL	JONES	PIPER	WARING
BERRY	FISH	KEEGAN	REYNOLDS	WHEELER
BROWNING	FLOYD-JONES	KING	ROWLAND	WILBOR
BRUNDAGE	FLYNN	LANGNER	SAWYER	WILLIAMS
CASE	FOSTER	LOVELAND	SEARING	WILLIS
CHAPPELL	GALVIN	MAPES	SHEARD	WINCH
CHASE	GILBERT	MEAD	SKINNER	WORTH
CLAPP	GRADY	MEKEEL	STORY	

Those who voted in the negative, were

CURRAN PRESCOTT

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A communication was received and read from the Governor in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 14, 1878. }

To the Assembly :

In accordance with a joint resolution of the Senate and Assembly, I return, for amendment, Assembly bill (not printed), entitled "An act to provide for a police commission in the town of New Lots, Kings county, and to establish a police force therein."

L. ROBINSON.

Mr. Bergen moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HEPBURN	PARKER	SUTHERLAND
ALLEN	CROWLEY	HOBBIE	PATTENGILL	E. TAYLOR
ALVORD	CURRAN	HOYT	CICERO C. PECK	THAIN
ASTOR	DAY	HULME	DEWITT C. PECK	THOMSON
BAKER	DEYOE	JONES	PEEK	TOWNSLEY
BERGEN	DUELL	KEEGAN	PIPER	VALENTINE
BERRIGAN	FISH	KING	POOL	WADSWORTH
BERRY	FITZGERALD	MCDONOUGH	PRESCOTT	WAKELY
BROOKS	FLOYD-JONES	MEAD	REYNOLDS	WHEELER
BROWNING	FLYNN	MEKEEL	ROWLAND	WILBOR
BRUNDAGE	GALVIN	J. H. MILLER	SAWYER	WILLERS
CASE	GILBERT	S. V. R. MILLER	SEARING	WILLIAMS
CHAPPELL	GRADY	MOLLER	SHEARD	WILLIS
CHASE	GRAHAM	MOOERS	SHELDON	WINCH
CLAPP	GRIGGS	MEYENBORG	SKINNER	WORTH
CLARK	HAVENS	NORTH		

Mr. Bergen moved that said bill be recommitted to the committee on the judiciary, with instructions to amend the same in the words following, and report said bill back forthwith :

Section 2, line 5, strike out the words "justices of the."

Same section, line 6, strike out the words "Supreme Court residing in the county of Kings and their respective successors."

Same section, line 7, strike out the words "in office," and insert in lieu thereof the words "the supervisor of said town, the president of the excise commission of said town, and the justice of the peace of said town now in office having the shortest term to serve, or a majority of them."

At the end of line 9, same section, insert the following words:

"And in case of a vacancy in said office of police commissioner or commissioners, occurring by death or otherwise, the successor or successors of such commissioner or commissioners shall be appointed by the supervisor of said town."

Section 3, line 1, strike out the words "to be," and insert in lieu thereof the word "so."

Also, same line, same section, strike out the words "by the justice appointing."

Same section, line 2, strike out the words "said commission and the town clerk."

Same section, line 3, strike out the words "of said town shall act as secretary of said board."

At the end of line 11, same section, add the words "they shall appoint a clerk to said board."

Section 4, line 5, strike out the word "town."

Same section, line 7, strike out the word "secretary," and insert the word "clerk."

Section 22, line 9, strike out the words "and town clerk of said town."

Mr. Gilbert, from the committee on the judiciary, reported back said bill amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOLAHAN	NEILSON	SKINNER
ALVORD	CURRAN	HOYT	NORTH	SUTHERLAND
BAKER	DEYOE	HURD	PALMER	E. TAYLOR
BATHE	DOUGLASS	JONES	PARKER	TERRY
BERGEN	DUELL	KEEGAN	CICERO C. PECK	THAIN
BERRIGAN	FISH	KERN	DEWITT C. PECK	THOMSON
BERRY	FLOYD-JONES	KING	PIPER	TOWNSLEY
BOUCK	FOSTER	LOVELAND	POOL	VALENTINE
BROOKS	FRANK	LOWING	PRESCOTT	WADSWORTH
BROWNING	GALVIN	MATTISON	PURDY	WAKELY
BRUNDAGE	GRADY	MCDONOUGH	ROWLAND	WARING
CASE	GRIGGS	MEKEEL	SAWYER	WHEELER
CHAPPELL	HAMILTON	J. H. MILLER	SEEBACHER	WILBOR
CLANCY	HAVENS	S. V. R. MILLER	SHANLEY	WILLERS
CLAPP	I. I. HAYES	MOLLER	SHEARD	WILLIS
CLARK	HEPBURN	MOOERS	SHELDON	WINCH
CRANDALL	HOBBIE	MEYENBORG		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate sent for concurrence the bill entitled as follows :

"An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' and the various acts amendatory thereof, or relating to the city of Rochester," which was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Fish, and by unanimous consent, said bill was ordered to a third reading.

In pursuance of previous notice,

Mr. Terry moved that the thirty-seventh and forty-first rules be suspended, in order that the bill entitled "An act to amend chapter 366 of the Laws of 1877, entitled 'An act to provide for the introduction of the Stevenson traction system of towage on the Erie canal,'" may be ordered to a third reading without being considered in the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion to suspend the thirty-seventh and forty-first rules, as above stated, and it was determined in the affirmative, as follows :

AYES 71.

NOES 9.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HOBBIE	PATTERSON	SKINNER
ALVORD	DAY	HOYT	CICERO C. PECK	SLITER
ANDREWS	DEYOE	JONES	PIPER	STRACK
ASTOR	DOUGLASS	KEEGAN	POOL	SUTHERLAND
BAKER	FISH	KING	PRESCOTT	E. TAYLOR
BOUCK	FITZGERALD	LANGNER	PURDY	TERRY
BROOKS	FLOYD-JONES	MCDONOUGH	REYNOLDS	THAIN
BROWNING	GILBERT	S. V. R. MILLER	ROWLAND	THOMSON
BRUNDAGE	GRADY	MOLLER	SEARING	VALENTINE
BURNS	GRAHAM	MOOERS	SEEBACHER	WAKELY
CASE	GRIGGS	NEILSON	SEWELL	WARING
CLAPP	HAMILTON	NELSON	SHANLEY	WILBOR
CLARK	I. I. HAYES	NORTH	SHEARD	WILLIAMS
CORMACK	HEPBURN	PALMER	SHELDON	WORTH
CRANDALL				

Those who voted in the negative, were

BATHE	HAVENS	DEWITT C. PECK	ROBERTS	WINCH
CROWLEY	LOVELAND	PROPER	WILLERS	

Mr. Speaker then put the question whether the House would agree to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading, and it was determined in the affirmative.

Mr. Alvord gave notice that at twelve o'clock he would call up the apportionment bill.

The Senate bill entitled "An act for the relief of Thomas E. Davis," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 76.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	DEYOE	J. HAYES	MOOERS	SHEARD
ALLEN	DUELL	HEPBURN	NEILSON	SHELDON
ALVORD	FISH	HOBBIE	NORTH	SKINNER
ANDREWS	FITZGERALD	HOLBROOK	NOYES	SUTHERLAND
ASTOR	FLOYD-JONES	HOYT	PALMER	E. TAYLOR
BATHE	FLYNN	JONES	PARKER	TERRY
BEARD	FOSTER	KELLOGG	PATTENGILL	THAIN
BROWNING	FRANK	KING	DE WITT C. PECK	THOMSON
CASE	GILBERT	LANGNER	PEEK	VALENTINE
CHASE	GRADY	MAPES	PROPER	WADSWORTH
CLAPP	GRAHAM	MCDONOUGH	PURDY	WAKELY
CLARK	GRIGGS	MEKEEL	ROBERTS	WARING
CONVERSE	HALLIDAY	J. H. MILLER	SAWYER	WHEELER
CORMACK	HAVENS	S. V. R. MILLER	SEARING	WILBOR
CRANDALL	I. I. HAYES	MOLLER	SEWELL	WORTH
DAY				

For the negative,

PRESCOTT

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof.'"

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

"An act relative to the preservation of records in the city of New York."

"An act to provide for the laying out and improvement of the public squares and places established in Fourth avenue, in the city of New York, by chapter 528 of the Laws of 1873."

The bill entitled "An act to amend chapter 130, Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,' and the several acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ALLEN	DOUGLASS	HOYT	NOYES	SHELDON
ALVORD	DUELL	HULME	PALMER	SKINNER
ANDREWS	FISH	HURD	PARKER	SUTHERLAND
BATHE	FITZGERALD	JONES	PATTENGILL	E. TAYLOR
BERGEN	FLOYD-JONES	KEATOR	PATTERSON	TERRY
BROOKS	FLYNN	KEEGAN	CICERO C. PECK	THAIN
BRUNDAGE	GALVIN	KELLOGG	PEEK	THOMSON
BURNS	GILBERT	KING	PRESCOTT	TOWNSLEY
CASE	GRADY	LANGNER	PROPER	VALENTINE
CHAPPELL	GRAHAM	LOVELAND	REYNOLDS	WARING
CLANCY	GRIGGS	MAPES	ROBERTS	WILBOR
CLAPP	HAVENS	MCDONOUGH	ROWLAND	WILLERS
CLARK	I. I. HAYES	MEKEEL	SAWYER	WILLIAMS
CORMACK	J. HAYES	S. V. R. MILLER	SEARING	WILLIS
CRANDALL	HEPBURN	MOOERS	SEWELL	WINCH
DAY	HOBBIE	NELSON	SHANLEY	WORTH
DEYOE	HOLBROOK	NORTH		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act supplementary to chapter 29 of the Laws of 1865, in relation to the payment of bounties," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 71.

NOES 18.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HOBBIE	J. H. MILLER	SEEBACHER
ALVORD	DALY	HOYT	S. V. R. MILLER	SEWELL
ANDREWS	DAY	HULME	NORTH	SHELDON
BAKER	DEYOE	HURD	NOYES	E. TAYLOR
BERGEN	DOUGLASS	JONES	PALMER	TERRY
BERRIGAN	DUELL	KEATOR	CICERO C. PECK	THAIN
BERRY	FITZGERALD	KEEGAN	DEWITT C. PECK	THOMSON
BRUNDAGE	FOSTER	KELLOGG	PEEK	TOWNSLEY
CASE	GALVIN	KING	PIPER	VALENTINE
CHAPPELL	GRADY	LANGNER	PRESCOTT	WARING
CLANCY	GRIGGS	LOVELAND	PROPER	WILBOR
CLAPP	HAMILTON	LOWING	REYNOLDS	WILLIS
CONVERSE	I. I. HAYES	MAPES	ROWLAND	WINCH
CORMACK	HEPBURN	MCDONOUGH	SAWYER	WORTH
CRANDALL				

Those who voted in the negative, were

BATHE	COSAD	FLYNN	MEKEEL	SUTHERLAND
BEARD	CURRAN	GILBERT	PARKER	WILLERS
BROOKS	FISH	HAVENS	SKINNER	WILLIAMS
CHASE	FLOYD-JONES	MATTISON		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Wilbor offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 87, entitled "An act to further amend sections 8 and 10, chapter 739 of the Laws of 1857, entitled 'An

act to authorize the formation of town insurance companies," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to exempt the lands held by the commissioners for improvements on the Oswegatchie river from taxation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	KEEGAN	PEEK	J. T. TAYLOR
ALLEN	DEYOE	KELLOGG	PIPER	TERRY
ALVORD	DOUGLASS	KING	PRESCOTT	THAIN
ANDREWS	DUELL	LANGNER	REYNOLDS	THOMSON
ASTOR	FISH	LOVELAND	ROBERTS	TOWNSLEY
BAKER	FLOYD-JONES	MCDONOUGH	ROWLAND	VALENTINE
BATHE	FLYNN	MEKEEL	SAWYER	WADSWORTH
BEARD	FOSTER	J. H. MILLER	SEARING	WAKELY
BERGEN	FRANK	MOOERS	SEEBACHER	WARING
BERRIGAN	GALVIN	NEILSON	SEWELL	WEMPLE
BROOKS	GRADY	NORTH	SHANLEY	WHEELER
BRUNDAGE	GRIGGS	NOYES	SHEARD	WILBOR
CASE	HAMILTON	PALMER	SHELDON	WILLERS
CHAPPELL	HAVENS	PARKER	SKINNER	WILLIAMS
CHASE	I. I. HAYES	PATTENGILL	STORY	WILLIS
CLARK	HOYT	CICERO C. PECK	SUTHERLAND	WINCH
CORMACK	HULME	DEWITT C. PECK	E. TAYLOR	WORTH
CRAWFORD	HURD			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act defining the duties and powers of boards of town auditors," having been announced for a third reading,

On motion of Mr. Wakely, and by unanimous consent, said bill was amended as follows :

"And all settlements, now required by law of town officers, shall be with the town board."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 76.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HALLIDAY	NEILSON	SHEARD
ALLEN	CONVERSE	HAMILTON	NORTH	SHELDON
ALVORD	COSAD	HENRY	NOYES	SKINNER
ANDREWS	CRAWFORD	HOYT	PALMER	STORY
ASTOR	CROWLEY	HULME	PARKER	E. TAYLOR
BAKER	DALY	KEATOR	PATTENGILL	TERRY
BATHE	DAY	KEEGAN	DEWITT C. PECK	THAIN
BEARD	FISH	KELLOGG	PIPER	TOWNSLEY
BERGEN	FITZGERALD	KING	PRESCOTT	WADSWORTH

BERRIGAN	FLOYD-JONES	LANGNER	REYNOLDS	WARING
BERRY	FLYNN	MATTISON	ROBERTS	WEMPLE
BROOKS	FOSTER	MCDONOUGH	ROWLAND	WILBOR
BROWNING	GILBERT	J. H. MILLER	SAWYER	WILLIAMS
BRUNDAGE	GRADY	S. V. R. MILLER	SEEBACHER	WILLIS
CASE	GRIGGS	MOOERS	SEWELL	WORTH
CHASE				

For the negative,

THOMSON

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The act entitled "An act to authorize the appointment of a clerk by the coroners of the county of Kings," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 74.

NOES 4.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	NORTH	SKINNER
ALLEN	CRAWFORD	HOLAHAN	NOYES	STORY
ALVORD	CURRAN	HOYT	PALMER	SUTHERLAND
ANDREWS	DAY	HULME	PARKER	E. TAYLOR
BAKER	DEYOE	KEEGAN	PATTENGILL	TERRY
BATHE	DUELL	KELLOGG	DEWITT C. PECK	THAIN
BEARD	FISH	KING	PIPER	THOMSON
BERGEN	FITZGERALD	LANGNER	PROPER	TOWNSLEY
BERRY	FLOYD-JONES	MAPES	PURDY	VALENTINE
BROOKS	FOSTER	MCDONOUGH	REYNOLDS	WADSWORTH
BRUNDAGE	GILBERT	MEKEEL	ROWLAND	WEMPLE
CASE	GRADY	J. H. MILLER	SAWYER	WILBOR
CHAPPELL	GRAHAM	S. V. R. MILLER	SEWELL	WILLERS
CHASE	HAMILTON	MOOERS	SHANLEY	WINCH
CONVERSE	HEPBURN	NEILSON	SHELDON	

Those who voted in the negative, were

HENRY	PRESCOTT	ROBERTS	WARING
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable James Fyfe Jamison to take, hold and dispose of real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 90.

NOES 13.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HALLIDAY	MCDONOUGH	ROWLAND
ALLEN	CLARK	HAMILTON	MEAD	SAWYER
ALVORD	CONVERSE	I. I. HAYES	MEKEEL	SEARING
ANDREWS	CRANDALL	J. HAYES	J. H. MILLER	SEEBACHER
ASTOR	CRAWFORD	HENRY	S. V. R. MILLER	SHELDON
BAKER	CROWLEY	HEPBURN	MOOERS	SLITER
BATHE	DALY	HOBBIE	MEYENBORG	SUTHERLAND
BEARD	DAY	HOLAHAN	NEILSON	J. T. TAYLOR
BERGEN	DEYOE	HOLBROOK	NELSON	TERRY
BERRIGAN	DUELL	HOYT	NORTH	THAIN

BERRY	FISH	HULME	NOYES	THOMSON
BOUCK	FITZGERALD	HURD	PALMER	VALENTINE
BROOKS	FLOYD-JONES	KEEGAN	PARKER	WADSWORTH
BROWNING	FLYNN	KELLOGG	PATTENGILL	WARING
BRUNDAGE	GALVIN	KING	PATTERSON	WILBOR
CASE	GILBERT	LOWING	CICERO C. PECK	WILLERS
CHAPPELL	GRADY	MAPES	PIPER	WILLIS
CHASE	GRAHAM	MATTISON	POOL	WORTH

Those who voted in the negative, were

CURRAN	MOLLER	REYNOLDS	E. TAYLOR	WEMPLE
DOUGLASS	DEWITT C. PECK	ROBERTS	TOWNSLEY	WINCH
LOVELAND	PRESCOTT	SKINNER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act relative to the collection of taxes and assessments in the city of Brooklyn," having been announced for a third reading,

On motion of Mr. Waring, and by unanimous consent, said bill was amended in the words following:

Line 2, section 5, strike out the words "hereafter unpaid."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 84.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOLBROOK	NOYES	STORY
ALLEN	CROWLEY	HOYT	PALMER	SUTHERLAND
ALVORD	DAY	HULME	PATTERSON	E. TAYLOR
ANDREWS	DUELL	HURD	CICERO C. PECK	TERRY
ASTOR	FISH	JONES	DEWITT C. PECK	THAIN
BAKER	FLOYD-JONES	KELLOGG	PEEK	THOMSON
BERGEN	FLYNN	KING	PIPER	TOWNSLEY
BERRY	FOSTER	LOWING	PRESCOTT	VALENTINE
BOUCK	GALVIN	MAPES	REYNOLDS	WADSWORTH
BROOKS	GILBERT	MEKEEL	ROBERTS	WAKELY
BROWNING	GRAHAM	J. H. MILLER	ROWLAND	WARING
BURNS	GRIGGS	S. V. R. MILLER	SAWYER	WEMPLE
CASE	HALLIDAY	MOLLER	SEARING	WILBOR
CHAPPELL	HAVENS	MOOERS	SEEBACHER	WILLERS
CHASE	I. I. HAYES	NEILSON	SHEARD	WILLIS
CONVERSE	J. HAYES	NELSON	SHELDON	WINCH
COSAD	HOBBIE	NORTH	SKINNER	

Those who voted in the negative, were

BATHE	CURRAN	DOUGLASS
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with an amendment.

The Senate bill entitled "An act to authorize corporations organized under the laws of this State to reduce their capital stock," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 93.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DALY	HOYT	PARKER	SLITER
ALLEN	DAY	HULME	PATTERSON	SUTHERLAND
ALVORD	DEYOE	HURD	CICERO C. PECK	E. TAYLOR
ANDREWS	DOUGLASS	JONES	DEWITT C. PECK	THAIN
ASTOR	DUELL	KEEGAN	PIPER	THOMSON
BAKER	FITZGERALD	KING	POOL	TOWNSLEY
BERGEN	FLOYD-JONES	LOWING	PRESCOTT	VALENTINE
BERRY	FOSTER	MATTISON	PROPER	WADSWORTH
BOUCK	GALVIN	MCDONOUGH	PURDY	WAKELY
BROOKS	GILBERT	MEAD	ROBERTS	WARING
BROWNING	GRADY	MEKEEL	ROWLAND	WEMPLE
BURNS	GRAHAM	J. H. MILLER	SAWYER	WHEELER
CASE	GRIGGS	S. V. R. MILLER	SEARING	WILBOR
CHAPPELL	HALLIDAY	MOLLER	SEEBACHER	WILLERS
CHASE	HAVENS	MOOERS	SEWELL	WILLIAMS
CLARK	I. I. HAYES	NELSON	SHEARD	WILLIS
CONVERSE	HEPBURN	NORTH	SHELDON	WINCH
CRANDALL	HOBBIE	NOYES	SKINNER	WORTH
CROWLEY	HOLBROOK	PALMER		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to secure better public administration in the city of New York," with a message that they had agreed to the report of the committee of conference on said bill in the words following :

To the Legislature :

Your committee of conference, to which were referred the matters of difference between the two houses upon Senate bill No. 285 (original Assembly bill No. 435), entitled "An act to secure better public administration in the city of New York," beg leave respectfully to report that they have met and duly considered such matters of difference, and have agreed to recommend that the Assembly do concur in all the amendments to the bill as proposed and adopted in the Senate ; and also in the following amendments as proposed and adopted in the conference committee—reference, in all cases, being made to the printed bill as amended :

"§ 7. If the lowest bid or proposal be rejected, or if the accepted bidder shall refuse or neglect for three days, after written notice, to give proper security to the satisfaction of the comptroller, or to execute, with his sureties, the contract, the work shall be readvertised and relet as hereinbefore provided, but the time above specified may be extended by the head of the department having charge of such work for not exceeding seven days ; and whenever any contract is hereafter awarded and executed, and the contractor fails to proceed with the work, or abandons the same, the head of the department or officer having charge of such work shall give notice of such failure or abandonment to the sureties of the contractor ; and it shall be the duty of such sureties, within ten days after such notice, to proceed with the work and continue the same until completed in accordance with the requirements of said contract. In all contracts hereafter executed, in name or in behalf of said mayor, aldermen and commonalty of said city, where, upon notice by the head of the department or officer having charge of such work, the sureties shall fail to proceed with the work, and continue the same until completion, or where, after such notice, the sureties shall willfully violate any of the conditions of the contract, or unnecessarily delay the completion thereof,

then, and in either of such events, it shall be the duty of such head of department or officer to readvertise and relet the work as herein provided; and upon the same being completed pursuant to said reletting, the comptroller shall certify to the counsel to the corporation the expense of the work in all cases where such expense exceeds the amount provided in the original contract to be paid therefor; and it shall thereupon be the duty of said counsel to commence and prosecute all actions and proceedings necessary to recover such expense so in excess from the contractor and his sureties, and to pay over the amount to the city treasury; but, nevertheless, if the work be one for which an assessment may be imposed, an assessment shall be imposed in the manner hereinafter prescribed for all expense on account of such work, which may be incurred by said city, the amount of such expense to be determined by the certificate of the head of the department in charge of such work.

“§ 30. The estimated revenues of the general fund, including interest on assessments, shall hereafter in each year, before the final estimate is agreed to, be certified before the comptroller to the board of estimate and apportionment, and the said board shall deduct the amounts so certified from said final estimate, and only the amount of such estimate, after making such reduction, shall be certified by the comptroller to the board of aldermen, to be raised by tax. The said board of aldermen shall add to the amount so certified, such sums, not exceeding three per cent thereof, as said comptroller shall certify to be necessary to provide for deficiencies in the actual product of the amount of taxes imposed and levied therefor.

“§ 31. Section five of the act chapter two hundred and thirteen of the Laws of eighteen hundred and seventy-one, passed March twenty-nine, eighteen hundred and seventy-one; section fourteen of chapter three hundred of the Laws of eighteen hundred and seventy-one, passed April five, eighteen hundred and seventy-one; the act, chapter five hundred and eighty-three of the Laws of eighteen hundred and seventy-one (except section seven of said act), passed April nineteen, eighteen hundred and seventy-one; the acts chapter nine, twenty-nine and four hundred and forty four of the Laws of eighteen hundred and seventy-two, passed, respectively, January thirty, February nine and April thirtieth, eighteen hundred and seventy-two; section one hundred and thirteen of chapter three hundred and thirty-five of the Laws of eighteen hundred and seventy-three, passed April thirty, eighteen hundred and seventy-three, chapter seven hundred and fifty-six of the Laws of eighteen hundred and seventy-three, passed June thirteen, eighteen hundred and seventy-three (except section three of said act); chapter seven hundred and fifty-eight of the Laws of eighteen hundred and seventy-three, passed June thirteen, eighteen hundred and seventy-three (except section three of said act), and all acts or parts of acts inconsistent with the provisions of this act are hereby repealed, but such repeal shall not affect any taxes imposed under said statutes, or either of them, or any bonds or stocks of the city or county of New York, issued under or pursuant to the authority of said statutes, or any of them, nor shall such repeal create or revive or legalize any liability or claim against said city or county, or any public officer or fund thereof.”

Section 7, in line 6, strike out the word “seven,” and insert the word “thirty.”

Section 30, in lines 1 and 2, strike out the words “including interests on assessments.”

Section 31, in lines 13, 14 and 15, strike out the words "chapter seven hundred and fifty-six of the Laws of 1873, passed June thirteen, eighteen hundred and seventy-three (except section three of said act.)"

All of which is respectfully submitted.

THEO. M. POMEROY,
THOS. C. E. ECCLESINE,
HAML. HARRIS,
Senate Committee.

I. I. HAYES,
HAMILTON FISH, JR.,
A. H. SEWELL,
THOS. F. GRADY,
JAMES DALY,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 82.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DAY	HULME	PALMER	SUTHERLAND
ALLEN	DEYOE	HURD	PARKER	E. TAYLOR
ANDREWS	DOUGLASS	JONES	DEWITT C. PECK	J. T. TAYLOR
ASTOR	DUELL	KING	PEEK	TERRY
BERGEN	FISH	LOWING	PIPER	THAIN
BERRY	FITZGERALD	MATTISON	POOL	THOMSON
BOUCK	FLOYD-JONES	MCDONOUGH	PRESCOTT	VALENTINE
BROOKS	GALVIN	MEAD	PROPER	WADSWORTH
BRUNDAGE	GILBERT	MEKEEL	ROBERTS	WAKELY
CASE	GRADY	J. H. MILLER	ROWLAND	WARING
CHAPPELL	GRIGGS	S. V. R. MILLER	SAWYER	WHEELER
CHASE	HALLIDAY	MOLLER	SEARING	WILBOR
CLARK	HAMILTON	MOOERS	SHELDON	WILLERS
CONVERSE	HAVENS	MEYENBORG	SKINNER	WILLIS
CORMACK	I. I. HAYES	NELSON	SLITER	WINCH
CRANDALL	HEPBURN	NORTH	STORY	WORTH
DALY	HOYT			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the committee of conference thereon.

Mr. Andrews offered, for the consideration of the House, a resolution in the words following :

Resolved, That Senate bill No. 333, entitled "An act authorizing the city of Binghamton to use portion of the Chenango canal for a public street," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 195 of the Laws of 1846, entitled 'An act to authorize the New York and New Haven Railroad Company to extend their railroad from the Connecticut line to the New York and Harlem railroad,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 24.

NOES 57.

Those who voted in the affirmative, were

ASTOR	CORMACK	FLOYD-JONES	KELLOGG	POOL
BEARD	CRANDALL	FRANK	MOLLER	THOMSON
BOUCK	CURRAN	HALLIDAY	MOOERS	WADSWORTH
BROWNING	DALY	HAVENS	MEYENBORG	WEMPLE
BRUNDAGE	DOUGLASS	HURD	NORTH	

Those who voted in the negative, were

ALLEN	DAY	HOYT	CICERO C. PECK	SKINNER
ALVORD	DEYOE	HULME	DEWITT C. PECK	SUTHERLAND
BAKER	DUELL	JONES	PIPER	E. TAYLOR
BATHE	FISH	KEATOR	PRESCOTT	J. T. TAYLOR
BERGEN	FITZGERALD	KEEGAN	REYNOLDS	TERRY
BROOKS	GALVIN	MCDONOUGH	ROWLAND	THAIN
CASE	GILBERT	J. H. MILLER	SAWYER	TOWNSLEY
CHAPPELL	GRADY	S. V. R. MILLER	SEARING	VALENTINE
CONVERSE	GRAHAM	PALMER	SEEBACHER	WILLERS
COSAD	HAMILTON	PARKER	SHEARD	WILLIAMS
CRAWFORD	HEPBURN	PATTERSON	SHELDON	WILLIS
CROWLEY	HOLAHAN			

The bill entitled "An act in relation to elections in the city of Albany, and to provide for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage thereat," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 81.

NOES 5.

Those who voted in the affirmative, were

ABBOTT	DALY	HURD	PATTENGILL	SKINNER
ALVORD	DAY	JONES	CICERO C. PECK	STORY
ASTOR	DUELL	KEATOR	DEWITT C. PECK	SUTHERLAND
BEARD	FISH	KELLOGG	PEEK	E. TAYLOR
BERRY	FLOYD-JONES	KING	PIPER	J. T. TAYLOR
BROOKS	FOSTER	LOWING	POOL	TERRY
BROWNING	FRANK	MAPE	PRESCOTT	THOMSON
BRUNDAGE	GALVIN	MATTISON	PURDY	TOWNSLEY
BURNS	GILBERT	MEKEEL	REYNOLDS	WAKELY
CASE	GRIGGS	J. H. MILLER	ROBERTS	WARING
CHAPPELL	HAMILTON	S. V. R. MILLER	ROWLAND	WHEELER
CHASE	I. I. HAYES	MOOERS	SAWYER	WILBOR
CLAPP	HENRY	NEILSON	SEARING	WILLIAMS
CLARK	HEPBURN	NORTH	SEWELL	WILLIS
CONVERSE	HOBBIE	PALMER	SHEARD	WINCH
CORMACK	HOYT	PARKER	SHELDON	WORTH
CROWLEY				

Those who voted in the negative, were

GRADY	HAVENS	LOVELAND	MEYENBORG	WILLERS
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord offered, for the consideration of the House, a privileged resolution in the words following:

Resolved (if the Senate concur), That from and after the first day of January, in the year 1879, the New Capitol building, in the city of Albany, shall be and the same is hereby declared to be the Capitol of the State of New York.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to organize the Senate Districts, and for the apportionment of the members of Assembly of this State," with a message that they had agreed to the report of the committee of conference on said bill in the words following:

ALBANY, N. Y., *May 9, 1878.**To the Legislature :*

The committee of conference, to which was referred the matters of difference between the two Houses on Assembly bill No. 276, entitled "An act to organize the Senate districts, and for the apportionment of the members of Assembly of this State," beg leave to report that they met and have duly considered such matters of difference, and have agreed to recommend that the Assembly do concur in each of the amendments to said bill as proposed in the Senate.

HAML. HARRIS,
LOREN B. SESSIONS,

THOS. G. ALVORD,
HAMILTON FISH, JR.,
THOS. J. KING,

I object.

JOHN C. JACOBS,
Senate Committee.

S. D. HALLIDAY, } dissenting.
T. F. GRADY, }
Assembly Committee.

Said report being announced,

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the report of the conference committee, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 57.

NOES 65.

Those who voted in the affirmative, were

ABBOTT	FISH	JONES	PALMER	SUTHERLAND
ALVORD	FOSTER	KEATOR	PARKER	TERRY
ASTOR	GILBERT	KERN	DeWITT C. PECK	VALENTINE
BEARD	GRAHAM	KING	PEEK	WADSWORTH
BERRY	GRIGGS	LOWING	POOL	WAKELY
BRUNDAGE	I. I. HAYES	MEKEEL	PRESCOTT	WARING
CASE	HEPBURN	J. H. MILLER	REYNOLDS	WILBOR
CHAPPELL	HOBBIE	S. V. R. MILLER	ROWLAND	WILLIAMS
CHASE	HOLBROOK	MOOERS	SAWYER	WILLIS
CLAPP	HOYT	NORTH	SEWELL	WINCH
CLARK	HULME	NOYES	SHEARD	WORTH
DEYOE	HURD			

Those who voted in the negative, were

ALLEN	COSAD	GRADY	McDONOUGH	SEEBACHER
ANDREWS	CRAWFORD	HALLIDAY	MEAD	SHANLEY
BAKER	CROWLEY	HAMILTON	MOLLER	SHELDON
BATHE	CURRAN	HAVENS	MEYENBORG	SKINNER
BERGEN	DALY	J. HAYES	NEILSON	SLITER
BERRIGAN	DAY	HENRY	NELSON	STRACK
BOUCK	DOUGLASS	HOLAHAN	PATTENGILL	E. TAYLOR
BROOKS	DUELL	KEEGAN	PATTERSON	J. T. TAYLOR
BROWNING	FITZGERALD	KELLOGG	CICERO C. PECK	THAIN
BURNS	FLOYD-JONES	LANGNER	PIPER	THOMSON
CLANCY	FLYNN	LOVELAND	PURDY	TOWNSLEY
CONVERSE	FRANK	MAPES	ROBERTS	WEMPLE
CORMACK	GALVIN	MATTISON	SEARING	WILLERS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in the report of the committee of conference thereon.

Mr. Alvord moved to take from the table the concurrent resolution relative to printing the Census Reports.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which the Senate amendments to said concurrent resolution were lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 88. NOES 5.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOBBIE	NELSON	SHANLEY
ALVORD	DAY	HOLBROOK	NORTH	SHEARD
ANDREWS	DEYOE	HULME	NOYES	SHELDON
BAKER	DOUGLASS	HURD	PALMER	SKINNER
BATHE	DUELL	JONES	PARKER	STRACK
BEARD	FISH	KEATOR	PATTENGILL	E. TAYLOR
BERGEN	FLOYD-JONES	KELLOGG	PATTERSON	J. T. TAYLOR
BERRIGAN	FLYNN	KERN	CICERO C. PECK	THAIN
BOUCK	FOSTER	KING	DEWITT C. PECK	THOMSON
BROWNING	GILBERT	LANGNER	PEEK	TOWNSLEY
BURNS	GRADY	LOWING	POOL	WADSWORTH
CASE	GRAHAM	MAPES	PRESCOTT	WARING
CHAPPELL	GRIGGS	MCDONOUGH	PURDY	WEMPLE
CHASE	HALLIDAY	MEKEEL	ROBERTS	WILLIAMS
CLANCY	HAVENS	J. H. MILLER	ROWLAND	WILLIS
CLARK	J. HAYES	S. V. R. MILLER	SAWYER	WINCH
CRANDALL	HENRY	MOOERS	SEWELL	WORTH
CRAWFORD	HEPBURN	MEYENBORG		

Those who voted in the negative, were

BROOKS	CORMACK	CURRAN	KEEGAN	WILLERS
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Mr. Speaker then put the question whether the House would agree to the final passage of said concurrent resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 84. NOES 19.

Those who voted in the affirmative, were

ABBOTT	DOUGLASS	HOYT	MEYENBORG	SHEARD
ALLEN	DUELL	HULME	NORTH	SHELDON
ALVORD	FISH	HURD	PALMER	SKINNER
ANDREWS	FITZGERALD	JONES	PARKER	STRACK
BAKER	FLYNN	KELLOGG	PATTENGILL	E. TAYLOR
BATHE	FOSTER	KERN	PATTERSON	J. T. TAYLOR
BEARD	GALVIN	KING	CICERO C. PECK	TOWNSLEY
BERGEN	GILBERT	LANGNER	DEWITT C. PECK	VALENTINE
BERRIGAN	GRADY	LOVELAND	PEEK	WAKELY
BOUCK	GRAHAM	LOWING	PIPER	WARING
BROWNING	GRIGGS	MAPES	POOL	WEMPLE
CHASE	HALLIDAY	MCDONOUGH	PRESCOTT	WILBOR
CLANCY	J. HAYES	MEAD	ROBERTS	WILLIAMS
CLAPP	HENRY	MEKEEL	ROWLAND	WILLIS
COSAD	HEPBURN	J. H. MILLER	SAWYER	WINCH
CRANDALL	HOBBIE	MOLLER	SEARING	WORTH
DAY	HOLBROOK	MOOERS	SEWELL	

Those who voted in the negative, were

ASTOR	CORMACK	KEATOR	PROPER	THAIN
BERRY	CURRAN	KEEGAN	REYNOLDS	WADSWORTH
BROOKS	FLOYD-JONES	NEILSON	SLITER	WILLERS
CONVERSE	FRANK	NOYES	SUTHERLAND	

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Valentine, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Sessions, Int. No. 267, entitled "An act to amend chapter 26 of the Laws of 1832, entitled 'An act extending the powers of county superintendents of the poor,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Waring, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Waring, Int. No. 466, entitled "An act to provide for a better administration of the public charities in the county of Kings, and for the creation of a department of public charities therein" (with power to report at any time), reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Said bill having been announced for a third reading,

Mr. Clancy moved that said bill be recommitted to the committee on affairs of cities, with instructions to strike out all the amendments made to said bill in the committee, and report back forthwith.

Mr. Bergen moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Clancy, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 52.

NOES 53.

Those who voted in the affirmative, were

ABBOTT	DUELL	KERN	PARKER	SKINNER
ALVORD	FISH	KING	DEWITT C. PECK	E. TAYLOR
ANDREWS	GILBERT	LOWING	PEEK	TERRY
BERRY	GRAHAM	MATTISON	POOL	WADSWORTH
CASE	I. I. HAYES	MEKEEL	PRESCOTT	WAKELY
CHAPPELL	HEPBURN	S. V. R. MILLER	REYNOLDS	WARING
CHASE	HOBBIE	MOOERS	ROWLAND	WILLIAMS
CLAPP	HOLBROOK	NORTH	SEWELL	WILLIS
CLARK	HULME	NOYES	SHEARD	WINCH
CRANDALL	HURD	PALMER	SHELDON	WORTH
DEYOE	KEATOR			

Those who voted in the negative, were

ALLEN	COSAD	GRADY	MAPES	PROPER
BAKER	CRAWFORD	HALLIDAY	MCDONOUGH	ROBERTS
BEARD	CROWLEY	HAMILTON	J. H. MILLER	SEARING
BERGEN	CURRAN	HAVENS	MOLLER	SEEBACHER

BERRIGAN	DALY	J. HAYES	MEYENBORG	SHANLEY
BOUCK	DAY	HENRY	NEILSON	SLITER
BROOKS	DOUGLASS	JONES	NELSON	THAIN
BROWNING	FLOYD-JONES	KEEGAN	PATTENGILL	THOMSON
BURNS	FLYNN	KELLOGG	CICERO C. PECK	TOWNSLEY
CLANCY	FRANK	LANGNER	PIPER	WILLERS
CONVERSE	GALVIN	LOVELAND		

Mr. Waring moved to reconsider the vote by which said bill was lost.

Mr. Beard moved that said bill be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Beard, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to confer additional powers upon the common council of the city of New York," with a message that they had agreed to the report of the committee of conference on said bill, in the words following :

The committee of conference appointed by the Senate and Assembly, to which was referred the matter in difference between the two Houses upon the Assembly bill entitled "An act to confer additional powers upon the common council of the city of New York," having met and duly considered the same, have agreed to recommend that the Assembly concur in the amendments made by the Senate to said bill.

JAMES DALY,
HAMILTON FISH, Jr.,
JOHN N. FOSTER,
JAMES FITZGERALD,
I. I. HAYES,

L. S. GOEBEL,
THEO. M. POMEROY,
ALFRED WAGSTAFF,
Senate Committee.

Assembly Committee.

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	I. I. HAYES	S. V. R. MILLER	ROWLAND
ALLEN	CRAWFORD	HENRY	MOOERS	SAWYER
ALVORD	CURRAN	HEPBURN	NEILSON	SEARING
ANDREWS	DALY	HOBBIE	NORTH	SHANLEY
ASTOR	DEYOE	HOLBROOK	NOYES	SHELDON
BAKER	DOUGLASS	HULME	PALMER	SUTHERLAND
BEARD	DUELL	JONES	PARKER	E. TAYLOR
BERGEN	FISH	KEEGAN	PATTENGILL	THOMSON
BERRIGAN	FLOYD-JONES	KELLOGG	PATTERSON	TOWNSLEY
BERRY	FLYNN	KING	DEWITT C. PECK	WARING
BOUCK	FOSTER	LOVELAND	PEEK	WEMPLE
BROOKS	GALVIN	MAPES	PIPER	WHEELER
BROWNING	GILBERT	MATTISON	PRESCOTT	WILLERS
CASE	GRAHAM	MCDONOUGH	PROPER	WILLIAMS
CHASE	HALLIDAY	MEKEEL	PURDY	WILLIS
CLAPP	HAMILTON	J. H. MILLER	ROBERTS	WORTH
CONVERSE				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate sent for concurrence the bill entitled as follows :

"An act to provide for the pavement of a part of Fifth avenue, in the city of New York," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on affairs of cities.

Mr. Williams moved that Senate bill No. 383, entitled "An act to amend chapter 26, Laws of 1832, entitled 'An act extending the powers and duties of county superintendents of the poor,'" be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Berry presented a report from the sub-committee of the whole.

Mr. Berry moved that said report be considered immediately.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Flynn moved to disagree with the report of said committee, as far as relates to Assembly bill, entitled "An act to amend chapter 465 of the Laws of 1875, entitled 'An act to require the payment of certain premiums to the fire department of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York, but doing business therein,' passed May 28, 1875," and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill was ordered to a third reading.

Mr. Berry, from the sub-committee of the whole, to which was referred the bill, G. O. 652, No. 533, entitled "An act to incorporate the Mount Pleasant Water-works Company," reported in favor of the passage of the same, which report was agreed to, and said bill ordered to a third reading.

Mr. Berry, from the sub-committee of the whole, to which was referred the bill entitled "An act authorizing the city of Binghamton to use portion of the Chenango canal for a public street," reported in favor of the passage of the same, which report was agreed to, and said bill ordered to a third reading.

The bill entitled "An act in relation to the adoption of children," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 23. NOES 56.

Those who voted in the affirmative, were

ANDREWS	CASE	FISH	MOLLER	SAWYER
ASTOR	CLARK	GALVIN	MOOERS	SHANLEY
BERRIGAN	CRAWFORD	GILBERT	NORTH	SKINNER
BERRY	DOUGLASS	GRAHAM	PRESCOTT	E. TAYLOR
BROWNING	DUELL	GRIGGS		

Those who voted in the negative, were

ABBOTT	CRANDALL	HOYT	MCDONOUGH	SUTHERLAND
ALVORD	CROWLEY	HULME	MEKEEL	J. T. TAYLOR
BAKER	DEYOE	HURD	J. H. MILLER	THAIN
BATHE	FITZGERALD	JONES	S. V. R. MILLER	THOMSON
BEARD	FLOYD-JONES	KEATOR	NEILSON	TOWNSLEY

CHAPPELL	FLYNN	KEEGAN	NOYES	VALENTINE
CHASE	FOSTER	KELLOGG	CICERO C. PECK	WADSWORTH
CLANCY	GRADY	LANGNER	PROPER	WHEELER
CLAPP	HAMILTON	LOVELAND	PURDY	WILLERS
CONVERSE	HOBBIE	LOWING	SEARING	WINCH
CORMACK	HOLBROOK	MATTISON	SHELDON	WORTH
COSAD				

Mr. Terry, from the committee on privileges and elections, presented a report.

Mr. Terry moved that said report be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill entitled "An act to fix the compensation of justices of sessions in Monroe county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOBBIE	MOOERS	SKINNER
ALLEN	CROWLEY	HOLBROOK	NEILSON	STORY
ALVORD	CURRAN	HOYT	NELSON	SUTHERLAND
ANDREWS	DEYOE	HULME	NORTH	E. TAYLOR
BAKER	DOUGLASS	HURD	PARKER	TERRY
BATHE	DUELL	JONES	PATTENGILL	THAIN
BERGEN	FISH	KEATOR	CICERO C. PECK	THOMSON
BERRIGAN	FITZGERALD	KEEGAN	DEWITT C. PECK	TOWNSLEY
BERRY	FLOYD-JONES	LANGNER	PEEK	VALENTINE
BROOKS	FOSTER	LOVELAND	POOL	WADSWORTH
CASE	GALVIN	LOWING	PRESCOTT	WARING
CHAPPELL	GILBERT	MAPES	PURDY	WHEELER
CLANCY	GRADY	MATTISON	REYNOLDS	WILBOR
CLAPP	GRAHAM	MCDONOUGH	SAWYER	WILLERS
CLARK	HALLIDAY	MEKEEL	SEEBACHER	WILLIS
CONVERSE	I. I. HAYES	J. H. MILLER	SHEARD	WINCH
CORMACK	HEPBURN	S. V. R. MILLER	SHELDON	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act granting additional powers to courts of record," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 34.

NOES 55.

Those who voted in the affirmative, were

ALLEN	CHAPPELL	DOUGLASS	HURD	PURDY
ALVORD	CHASE	DUELL	MEAD	SEEBACHER
ANDREWS	CLAPP	FITZGERALD	MOLLER	SEWELL
BAKER	CONVERSE	FLOYD-JONES	MEYENBORG	SHANLEY
BERGEN	CRANDALL	GRAHAM	NELSON	THOMSON
BERRY	CROWLEY	HALLIDAY	PATTENGILL	WILLIS
BURNS	DEYOE	HAMILTON	CICERO C. PECK	

Those who voted in the negative, were

ABBOTT	FLYNN	KEEGAN	PIPER	SUTHERLAND
B THE	GALVIN	LANGNER	POOL	E. TAYLOR
BEARD	GRADY	LOVELAND	PRESCOTT	TERRY
BERRIGAN	I. I. HAYES	MAPES	PROPER	TOWNSLEY
BROOKS	HOBBIE	MEKEEL	REYNOLDS	VALENTINE
BROWNING	HOLAHAN	MOOERS	ROBERTS	WADSWORTH
CASE	HOLBROOK	NORTH	ROWLAND	WARING
CORMACK	HOYT	NOYES	SAWYER	WEMPLE
COSAD	HULME	PARKER	SHEARD	WILBOR
DALY	JONES	PATTERSON	SHELDON	WINCH
FISH	KEATOR	DEWITT C. PECK	SKINNER	WORTH

Mr. Bergen moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

The bill entitled "An act for the relief of John Hogan, and to authorize the comptroller of the city of New York to pay the amount which may be found due from said city to said Hogan for granite furnished for a bridge in said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CLAPP	J. HAYES	NELSON	SHEARD
ALLEN	CORMACK	HEPBURN	NORTH	SHELDON
ALVORD	CRAWFORD	HOLBROOK	PARKER	SKINNER
ANDREWS	CROWLEY	HOYT	PATTENGILL	SLITER
BAKER	DALY	JONES	CICERO C. PECK	SUTHERLAND
BATHE	DEYOE	KEATOR	DEWITT C. PECK	E. TAYLOR
BEARD	DOUGLASS	KING	PIPER	J. T. TAYLOR
BERGEN	DUELL	LANGNER	POOL	TERRY
BERRIGAN	FITZGERALD	LOVELAND	PRESCOTT	THAIN
BERRY	FLOYD-JONES	MATTISON	PURDY	THOMSON
BOUCK	FLYNN	MCDONOUGH	ROBERTS	WADSWORTH
BROOKS	FOSTER	MEAD	ROWLAND	WEMPLE
BROWNING	GALVIN	MEKEEL	SAWYER	WILBOR
BRUNDAGE	GRADY	J. H. MILLER	SEARING	WILLIS
BURNS	GRAHAM	S. V. R. MILLER	SEEBACHER	WINCH
CASE	HALLIDAY	MOOERS	SHANLEY	WORTH
CHAPPELL	I. I. HAYES	NEILSON		

Those who voted in the negative, were

FISH	KEEGAN	MOLLER
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the laying out and improvement of the public squares and places established in Fourth avenue, in the city of New York, by chapter 528 of the Laws of 1873," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOBBIE	NORTH	SHEARD
ALLEN	CRANDALL	HOLBROOK	NOYES	SHELDON
ALVORD	CROWLEY	HOYT	PARKER	SKINNER
ANDREWS	DALY	HURD	PATTERSON	SLITER
BAKER	DEYOE	JONES	CICERO C. PECK	E. TAYLOR
BATHE	DUELL	KEATOR	DEWITT C. PECK	J. T. TAYLOR
BEARD	FITZGERALD	KING	PIPER	THAIN
BERGEN	FLOYD-JONES	LANGNER	PURDY	TOWNSLEY
BERRIGAN	FOSTER	LOVELAND	REYNOLDS	VALENTINE
BERRY	FRANK	MAPES	ROBERTS	WARING
BROOKS	GALVIN	MCDONOUGH	ROWLAND	WHEELER
BRUNDAGE	GILBERT	MEAD	SAWYER	WILBOR
BURNS	GRAHAM	MEKEEL	SEARING	WILLIAMS
CASE	HALLIDAY	J. H. MILLER	SEEBACHER	WILLIS
CHAPPELL	HAVENS	MOLLER	SEWELL	WINCH
CLAPP	I. I. HAYES	MOOERS	SHANLEY	WORTH
CLARK	HENRY	NELSON		

Those who voted in the negative, were

FISH	PRESCOTT	WILLERS
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The hour of two having arrived, the House took a recess until half-past four, P. M.

HALF-PAST FOUR O'CLOCK, P. M.

The House again met.

By unanimous consent,

Mr. Allen offered, for the consideration of the House, a resolution in the words following:

Resolved, That the judiciary committee be discharged from the further consideration of Senate bill No. 172, entitled "An act to change the name of the American Loan Company," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Fitzgerald in the chair.

By unanimous consent,

Mr. Abbott offered, for the consideration of the House, a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 298, entitled "An act to amend chapter 421 of the Laws of 1877, entitled 'An act supplemental to an act, entitled An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, reported in favor of the passage of the bill entitled "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings, and acts amendatory thereof,'" which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Gilbert, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Ecclesine, Int. No. 184, entitled "An act legalizing certain acts of the present and former surrogates of the counties of New York and Kings, and of their assistants, and conferring certain powers on the clerks to the surrogates' courts of said counties," reported in favor of the passage of the same.

On motion of Mr. Gilbert, and by unanimous consent, said bill was ordered to a third reading.

Mr. Fish moved that the Senate bill entitled "An act to prevent the removal of actions to the Circuit Court of the United States by foreign insurance companies," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to provide for the records of boards of supervisors and the preservation of the same in county clerks' offices," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DOUGLASS	KEATOR	PATTENGILL	SLITER
ALVORD	FISH	KEEGAN	CICERO C. PECK	STRACK
BAKER	FITZGERALD	KELLOGG	PEEK	E. TAYLOR
BATHE	FLOYD-JONES	KING	POOL	TERRY
BERGEN	FLYNN	LANGNER	PRESCOTT	THAIN
BERRY	GALVIN	LOWING	REYNOLDS	THOMSON
BROOKS	GRADY	MAPES	ROBERTS	VALENTINE
BROWNING	GRIGGS	MEKEEL	ROWLAND	WADSWORTH
BURNS	HAVENS	J. H. MILLER	SAWYER	WAKELY
CLANCY	HENRY	S. V. R. MILLER	SEARING	WEMPLE
CLAPP	HEPBURN	MOOERS	SEEBACHER	WHEELER
CLARK	HOBBIE	MEYENBORG	SEWELL	WILBOR
CONVERSE	HOLBROOK	NEILSON	SHANLEY	WILLERS
CORMACK	HOYT	NELSON	SHEARD	WILLIAMS
COSAD	HULME	NOYES	SHELDON	WINCH
CRANDALL	HURD	PALMER	SKINNER	WORTH
CROWLEY	JONES	PARKER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the building of a town house in the town of Sparta, in the county of Livingston," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOBBIE	NEILSON	SKINNER
ALLEN	CURRAN	HOLBROOK	NORTH	SLITER
ALVORD	DEYOE	HOYT	NOYES	STORY
ANDREWS	DOUGLASS	HULME	PALMER	STRACK
BAKER	DUELL	JONES	PARKER	E. TAYLOR
BATHE	FISH	KEATOR	PATTENGILL	THAIN
BERGEN	FITZGERALD	KELLOGG	CICERO C. PECK	THOMSON
BERRY	FLOYD-JONES	KING	DeWITT C. PECK	VALENTINE
BROWNING	FLYNN	LANGNER	PEEK	WADSWORTH
BRUNDAGE	FOSTER	LOVELAND	POOL	WAKELY
BURNS	GALVIN	LOWING	PRESCOTT	WEMPLE
CASE	GILBERT	MAPES	REYNOLDS	WHEELER
CHAPPELL	GRADY	MCDONOUGH	SAWYER	WILBOR
CLAPP	GRAHAM	J. H. MILLER	SEARING	WILLERS
CLARK	HAMILTON	S. V. R. MILLER	SEWELL	WILLIAMS
CORMACK	I. I. HAYES	MOLLER	SHEARD	WILLIS
CRANDALL	HEPBURN	MOOERS	SHELDON	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 426 of the Laws of 1847, as re-enacted by section 32 of chapter 628 of the Laws of 1874," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 84.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOYT	NORTH	SHANLEY
ALLEN	DEYOE	HULME	NOYES	SHEARD
ALVORD	DOUGLASS	JONES	PALMER	SHELDON
ANDREWS	DUELL	KEATOR	PARKER	SKINNER
BAKER	FISH	KELLOGG	PATTENGILL	STRACK
BATHE	FITZGERALD	KING	CICERO C. PECK	E. TAYLOR
BERGEN	FLOYD-JONES	LANGNER	DeWITT C. PECK	TERRY
BERRY	FOSTER	LOVELAND	PEEK	THAIN
BROOKS	GALVIN	MATTISON	PRESCOTT	TOWNSLEY
BROWNING	GILBERT	MCDONOUGH	PROPER	VALENTINE
BRUNDAGE	GRADY	MEKEEL	PURDY	WEMPLE
BURNS	GRIGGS	J. H. MILLER	REYNOLDS	WHEELER
CLAPP	HAMILTON	S. V. R. MILLER	ROBERTS	WILBOR
CLARK	HAVENS	MOLLER	ROWLAND	WILLIAMS
CORMACK	HEPBURN	MOOERS	SAWYER	WILLIS
CRANDALL	HOBBIE	MEYENBORG	SEARING	WORTH
CRAWFORD	HOLBROOK	NEILSON	SEWELL	

For the negative,

CURRAN

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 431 of the Laws of 1875, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 6.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HEPBURN	MOOERS	SHANLEY
ALLEN	CROWLEY	HOBBIE	MEYENBORG	SHEARD
ALVORD	CURRAN	HOLAHAN	NORTH	SHELDON
ANDREWS	DAY	HOLBROOK	NOYES	SKINNER
BAKER	DEYOE	HOYT	PALMER	STRACK
BATHE	DOUGLASS	JONES	PARKER	TERRY
BEARD	FISH	KEATOR	PATTENGILL	THAIN
BERRY	FLOYD-JONES	KEEGAN	PEEK	TOWNSLEY
BROOKS	FLYNN	KING	POOL	VALENTINE
BROWNING	FOSTER	LANGNER	PRESCOTT	WARING
BRUNDAGE	FRANK	LOWING	PURDY	WHEELER
CHAPPELL	GALVIN	MATTISON	REYNOLDS	WILBOR
CLAPP	GILBERT	MEKEEL	ROWLAND	WILLIAMS
CLARK	GRADY	J. H. MILLER	SAWYER	WILLIS
CONVERSE	GRAHAM	S. V. R. MILLER	SEEBACHER	WORTH
COSAD	GRIGGS	MOLLER	SEWELL	

Those who voted in the negative, were

CORMACK	HAVENS	KELLOGG	LOVELAND	DEWITT C. PECK
CRAWFORD				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Frank offered, for the consideration of the House, a resolution in the words following :

Resolved That the committee of the whole be discharged from the further consideration of Assembly bill No. 566, entitled "An act to extend the operation and effect of the act passed February 17, 1848, and the several acts amendatory thereto, 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Day moved that Senate bill No. 324, entitled "An act to amend chapter 720 of the Laws of 1871, entitled 'An act to establish a department of police in the city of Buffalo, and to provide for the government thereof,'" be substituted for Assembly bill on the same subject and same title, now on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the Senate bill entitled "An act in relation to the term of office of the clerk of the board of supervisors of Kings county," with a message that they had non-concurred in the amendments of the Assembly thereto, and have appointed a committee of conference consisting of Messrs. Jacobs, McCarthy and Rockwell, on their part, and request a like committee on the part of the Assembly.

Mr. Worth moved that a like committee be appointed on the part of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then announced as such committee Messrs. Worth, Fish, Skinner, Brooks, and Thain.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon.

The Senate returned the bill entitled "An act in relation to the commissioner of jurors in the city of New York," with a message that they had concurred in the passage of the same, with the following amendments:

Section 3, line 3, strike out the word "five," and insert the word "seven."

Same line, after the word "thousand," insert the words "five hundred."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 86.

NOES 8.

Those who voted in the affirmative, were

ABBOTT	COSAD	HAVENS	MCDONOUGH	SEARING
ALLEN	CRANDALL	J. HAYES	J. H. MILLER	SEEBACHER
ALVORD	CRAWFORD	HEPBURN	MOLLER	SEWELL
ANDREWS	CROWLEY	HOBBIE	MOOERS	SHANLEY
BAKER	CURRAN	HOLAHAN	MEYENBORG	SHEARD
BATHE	DALY	HOLBROOK	NORTH	SHELDON
BEARD	DAY	HOYT	NOYES	STRACK
BERGEN	DOUGLASS	HULME	PALMER	E. TAYLOR
BERRIGAN	FISH	HURD	PARKER	TERRY
BERRY	FITZGERALD	JONES	PATTENGILL	THAIN
BROWNING	FLOYD-JONES	KEATOR	PATTERSON	WARING
BRUNDAGE	FLYNN	KELLOGG	CICERO C. PECK	WEMPLE
BURNS	FOSTER	KING	DEWITT C. PECK	WHEELER
CASE	GALVIN	LANGNER	POOL	WILBOR
CHAPPELL	GILBERT	LOVELAND	REYNOLDS	WILLIAMS
CLANCY	GRIGGS	MAPES	ROWLAND	WINCH
CLARK	HALLIDAY	MATTISON	SAWYER	WORTH
CORMACK				

Those who voted in the negative, were

GRADY	PRESCOTT	SKINNER	TOWNSLEY	WILLERS
NEILSON	PURDY	THOMSON		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the Senate bill entitled "An act to amend chapter 176 of the Laws of 1831, entitled 'An act incorporating the University of the City of New York,'" with a message that they had non-concurred in the amendments of the Assembly to said bill.

Mr. Browning moved that the House recede from its amendments.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HEPBURN	MEYENBORG	SLITER
ALVORD	CROWLEY	HOLAHAN	NELSON	STORY
ANDREWS	CURRAN	HOLBROOK	NORTH	STRACK
BAKER	DUELL	HOYT	NOYES	E. TAYLOR
BEARD	FISH	HULME	PARKER	TERRY
BERRIGAN	FITZGERALD	HURD	PATTENGILL	THAIN
BERRY	FLOYD-JONES	JONES	DEWITT C. PECK	THOMSON
BOUCK	FLYNN	KELLOGG	POOL	TOWNSLEY
BROOKS	FOSTER	KING	PRESCOTT	VALENTINE
BROWNING	FRANK	LANGNER	REYNOLDS	WADSWORTH
BRUNDAGE	GALVIN	LOVELAND	SAWYER	WAKELY
BURNS	GILBERT	MATTISON	SEARING	WEMPLE
CASE	GRADY	MEKEEL	SEEBACHER	WHEELER
CHAPPELL	GRIGGS	J. H. MILLER	SEWELL	WILBOR
CLAPP	HALLIDAY	S. V. R. MILLER	SHANLEY	WILLIAMS
CONVERSE	HAVENS	MOLLER	SHEARD	WILLIS
CORMACK	I. I. HAYES	MOOERS	SHELDON	WORTH
COSAD				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have receded from said amendments.

The Senate returned the bill entitled "An act to facilitate the completion of the Syracuse, Phœnix and Oswego railroad," with a message that they had passed the same, with the following amendments:

Section 1, line 3, strike out the word "local."

Same section, line 8, after the word "Oswego," insert the words "its successors or assigns."

The same bill, after the word "company," insert the words "its successors or assigns."

Amend the title by striking out the word "completion," and inseret-
ing in lieu thereof, the word "construction."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HEPBURN	S. V. R. MILLER	SHANLEY
ALLEN	CLARK	HOBBIE	MOLLER	SHEARD
ALVORD	CONVERSE	HOLAHAN	MOOERS	SHELDON
ANDREWS	CORMACK	HOLBROOK	NORTH	SKINNER
BAKER	CRANDALL	HOYT	NOYES	STORY
BATHE	CROWLEY	HURD	PALMER	E. TAYLOR
BEARD	DEVOE	JONES	PAKKER	TERRY
BERGEN	DUELL	KEATOR	PATTENGILL	THAIN
BERRIGAN	FITZGERALD	KEEGAN	CICERO C. PECK	VALENTINE
BERRY	FLOYD-JONES	KING	PEEK	WADSWORTH
BOUCK	FOSTER	LANGNER	POOL	WARING
BROOKS	FRANK	LOVELAND	PRESCOTT	WHEELER
BRUNDAGE	GILBERT	MATTISON	PURDY	WILBOR
BURNS	GRAHAM	MCDONOUGH	ROBERTS	WILLIAMS
CASE	HALLIDAY	MEAD	SAWYER	WILLIS
CHAPPELL	HAVENS	MEKEEL	SEEBACHER	WINCH
CLANCY	I. I. HAYES	J. H. MILLER	SEWELL	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to amend chapter 241 of the Laws of 1877, entitled 'An act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance,'" with a message that they had concurred in the passage of the same, with the following amendments :

Strike out all after the enacting clause, and insert as follows :

"SECTION 1. Section one, chapter two hundred and forty-one of the Laws of eighteen hundred and seventy-seven, entitled 'An act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance,' is hereby amended by adding thereto a section to be numbered section 5, and to read as follows :

"§ 5. It shall be the duty of the Superintendent of the Insurance Department of this State, to take cognizance of the provisions of this act, and to bring any violation thereof to the attention of any company in respect to which such violation shall be committed ; and in case of persistent violations of such provisions in respect to any company, it shall be his duty, if the company be chartered by this State, to report the same to the Attorney-General for dissolution, and if it be a company incorporated by any other State or country, it shall be his duty to revoke its authority to do business in this State."

The amendment having been read,

Mr. Speaker put the question whether the house would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HEPBURN	NEILSON	SHANLEY
ALLEN	CONVERSE	HOBBIE	NORTH	SHEARD
ALVORD	CORMACK	HOLBROOK	NOYES	SHELDON
ANDREWS	CRANDALL	HOYT	PALMER	SKINNER
BAKER	DALY	HULME	PARKER	STORY
BEARD	DAY	HURD	PATTENGILL	E. TAYLOR
BERGEN	DEYOE	JONES	PATTERSON	TERRY
BERRIGAN	FISH	KEEGAN	CICERO C. PECK	THAIN
BERRY	FLOYD-JONES	KING	PIPER	TOWNSLEY
BOUCK	FOSTER	LANGNER	POOL	VALENTINE
BROOKS	GALVIN	LOVELAND	PRESCOTT	WADSWORTH
BROWNING	GILBERT	MAPES	PURDY	WEMPLE
BRUNDAGE	GRADY	MEKEEL	REYNOLDS	WILBOR
BURNS	GRAHAM	S. V. R. MILLER	SAWYER	WILLIAMS
CASE	HAMILTON	MOOERS	SEARING	WILLIS
CLAPP	I. I. HAYES	MEYENBORG	SEWELL	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration and to regulate the compensation of supervisors,'" having been announced for a third reading,

On motion of Mr. Bergen, and by unanimous consent, said bill was amended in the words following :

Section 9, line 9, insert, after the word "avenue," the words "or parts of such street or avenue not opened," and at the end of the section the words "or part of such street or avenue not already opened."

Section 2, line 1, insert, after the word "Flatbush," the words "and New Utrecht."

Said bill, as amended, was then read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CHAPPELL	HOLBROOK	MEYENBORG	SHEARD
ALLEN	CLAPP	HOYT	NEILSON	SHELDON
ALVORD	CONVERSE	HULME	NORTH	SKINNER
ANDREWS	CORMACK	HURD	NOYES	STRACK
BAKER	COSAD	JONES	PALMER	E. TAYLOR
BATHE	DEYOE	KEATOR	PARKER	THAIN
BEARD	DUELL	KELLOGG	PATTENGILL	THOMSON
BERGEN	FLOYD-JONES	KING	CICERO C. PECK	VALENTINE
BERRIGAN	FLYNN	LANGNER	DEWITT C. PECK	WEMPLE
BERRY	FOSTER	LOVELAND	PIPER	WHEELER
BOUCK	GALVIN	MAPES	POOL	WILBOR
BROOKS	GILBERT	MATTISON	PRESCOTT	WILLERS
BROWNING	GRADY	MEAD	PURDY	WILLIAMS
BRUNDAGE	GRAHAM	J. H. MILLER	REYNOLDS	WILLIS
BURNS	I. I. HAYES	S. V. R. MILLER	SEWELL	WORTH
CASE	HEPBURN	MOOERS	SHANLEY	

Those who voted in the negative, were

CRAWFORD	CURRAN	FISH
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relating to the preservation of records in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 81.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HEPBURN	MOOERS	SHANLEY
ALLEN	CLARK	HOBBIE	MEYENBORG	SHEARD
ALVORD	CORMACK	HOLBROOK	NEILSON	SHELDON
ANDREWS	CRANDALL	HOYT	NELSON	SKINNER
BAKER	CROWLEY	HULME	NORTH	STORY
BATHE	CURRAN	HURD	NOYES	E. TAYLOR
BEARD	FISH	JONES	PALMER	TERRY
BERGEN	FITZGERALD	KEATOR	PARKER	THAIN
BERRIGAN	FLOYD-JONES	KEEGAN	PIPER	THOMSON
BERRY	FOSTER	KELLOGG	POOL	VALENTINE
BOUCK	GALVIN	KING	PRESCOTT	WADSWORTH
BROOKS	GRADY	LANGNER	PURDY	WEMPLE
BROWNING	GRAHAM	LOVELAND	REYNOLDS	WHEELER
BRUNDAGE	GRIGGS	MEKEEL	SAWYER	WILBOR
BURNS	HALLIDAY	J. H. MILLER	SEARING	WILLIAMS
CASE	I. I. HAYES	S. V. R. MILLER	SEWELL	WINCH
CHAPPELL				

Those who voted in the negative, were

CRAWFORD	DEWITT C. PECK	WILLERS
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the operation and effect of the act passed February 17, 1848, and the several acts amendatory thereto, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CURRAN	HOBBIE	NORTH	SUTHERLAND
ANDREWS	DALY	HOLAHAN	NOYES	E. TAYLOR
BAKER	DAY	HOLBROOK	PALMER	TERRY
BATHE	DEYOE	HOYT	PATTENGILL	THAIN
BEARD	FITZGERALD	HURD	PATTERSON	THOMSON
BERRIGAN	FLOYD-JONES	JONES	DEWITT C. PECK	VALENTINE
BERRY	FOSTER	KEEGAN	PIPER	WADSWORTH
BROWNING	FRANK	KELLOGG	POOL	WAKELY
BRUNDAGE	GALVIN	KING	PRESCOTT	WARING
CASE	GILBERT	LANGNER	REYNOLDS	WEMPLE
CHAPPELL	GRADY	LOVELAND	ROBERTS	WILBOR
CLANCY	GRIGGS	LOWING	SAWYER	WILLERS
CLARK	HALLIDAY	MEAD	SEARING	WILLIAMS
CONVERSE	HAVENS	MEKEEL	SEEBACHER	WILLIS
COSAD	I. I. HAYES	MOOERS	SHELDON	WINCH
CROWLEY	HEPBURN	MEYENBORG	SKINNER	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An to amend chapter 411 of the Laws of 1877, entitled 'An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 86.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HULME	NOYES	SHELDON
ALLEN	DAY	HURD	PALMER	SKINNER
ALVORD	FISH	JONES	PARKER	STRACK
ANDREWS	FITZGERALD	KELLOGG	PATTENGILL	SUTHERLAND
BAKER	FLOYD-JONES	KING	CICERO C. PECK	E. TAYLOR
BEARD	FOSTER	LANGNER	DEWITT C. PECK	TERRY
BERGEN	GALVIN	LOVELAND	PIPER	THAIN
BERRY	GILBERT	LOWING	POOL	THOMSON
BOUCK	GRADY	MATTISON	PRESCOTT	VALENTINE
BROOKS	GRAHAM	MCDONOUGH	PROPER	WADSWORTH
BRUNDAGE	GRIGGS	MEAD	ROBERTS	WAKELY
BURNS	HAMILTON	MEKEEL	ROWLAND	WARING
CHAPPELL	I. I. HAYES	J. H. MILLER	SAWYER	WHEELER
CHASE	HENRY	MOOERS	SEARING	WILBOR
CLAPP	HEPBURN	MEYENBORG	SEEBACHER	WILLIAMS
CLARK	HOLBROOK	NELSON	SEWELL	WILLIS
CRANDALL	HOYT	NORTH	SHEARD	WINCH
CRAWFORD				

Those who voted in the negative, were

COSAD

CURRAN

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 77.

NOES 2.

Those who voted in the affirmative, were

ALVORD	CROWLEY	HOBBIE	PATTENGILL	STORY
BAKER	CURRAN	HOLAHAN	CICERO C. PECK	STRACK
BATHE	DAY	HOLBROOK	PIPER	SUTHERLAND
BERRIGAN	DELL	HOYT	PRESCOTT	E. TAYLOR
BERRY	FISH	HULME	ROBERTS	THAIN
BOUCK	FITZGERALD	HURD	ROWLAND	THOMSON
BROOKS	FLOYD-JONES	JONES	SAWYER	TOWNSLEY
BROWNING	FLYNN	KEATOR	SEARING	VALENTINE
BRUNDAGE	GALVIN	LANGNER	SEEBACHER	WADSWORTH
BURNS	GRADY	MOOERS	SEWELL	WAKELY
CASE	GRAHAM	MEYENBORG	SHANLEY	WEMPLE
CHAPPELL	GRIGGS	NORTH	SHEARD	WILBOR
CHASE	HALLIDAY	NOYES	SHELDON	WILLIAMS
CLAPP	HAMILTON	PALMER	SKINNER	WILLIS
CORMACK	HAVENS	PARKER	SLITER	WORTH
CRANDALL	HENRY			

Those who voted in the negative, were

DEWITT C. PECK WILLERS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to legalize and confirm the official acts of William Alt, of the city of New York, a notary public," having been announced for a third reading,

Mr. Purdy moved that said bill be recommitted to the committee on affairs of cities, with instructions to amend the same as follows, and report back forthwith:

Strike out the title, and insert in place thereof the following:

"An act authorizing licenses to be issued for the sale of liquors, wines, ale and beer in restaurants and dining rooms in cities."

Strike out all after the enacting clause, and insert in place thereof the following:

"SECTION 1. The boards of excise in the cities of the State are hereby authorized and empowered to issue licenses for the sale of spirituous liquors, wines, ale and beer, to be drunk on the premises, to the proprietors or keepers of restaurants and dining rooms in the cities of the State, in addition to the keepers of inns, taverns or hotels, provided the said boards of excise are satisfied that the applicant or applicants for such license are of good moral character.

"§ 2. Any place where warm food or warm meals are cooked and served or supplied to the public shall be taken and held to be a restaurant or dining room within the meaning of this act, and at such place it

shall be lawful under such license to sell and dispose of spirituous liquors, wines, ale and beer only with the food or meals served and supplied, and not otherwise; but nothing herein contained shall be construed to legalize the sale of spirituous liquors on Sunday.

"§ 3. All acts or parts of acts inconsistent with this act are hereby repealed.

"§ 4. This act shall take effect immediately."

Mr. Alvord raised the point of order that the amendments could not be offered to said bill.

Mr. Speaker decided the point of order well taken.

Mr. Purdy appealed from the decision of the chair.

Mr. Speaker resumed the chair.

Mr. Skinner moved that said appeal be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, as follows:

AYES 76.

NOES 28.

Those who voted in the affirmative, were

ABBOTT	DEYOE	KERN	CICERO C. PECK	E. TAYLOR
ALLEN	DUELL	KING	DEWITT C. PECK	TERRY
ALVORD	FISH	LOVELAND	PEEK	THOMSON
ANDREWS	FLOYD-JONES	LOWING	PIPER	TOWNSLEY
BERGEN	GILBERT	MATTISON	POOL	VALENTINE
BERRY	GRAHAM	MEAD	PRESCOTT	WADSWORTH
BOUCK	HALLIDAY	MEKEEL	REYNOLDS	WARING
BROOKS	HAMILTON	J. H. MILLER	ROBERTS	WHEELER
BRUNDAGE	I. I. HAYES	S. V. R. MILLER	ROWLAND	WILBOR
CASE	HOLBROOK	MOLLER	SAWYER	WILLERS
CHAPPELL	HOYT	MOOERS	SEWELL	WILLIAMS
CLAPP	HULME	NORTH	SHEARD	WILLIS
CONVERSE	HURD	NOYES	SHELDON	WINCH
CORMACK	KEEGAN	PALMER	SKINNER	WORTH
COSAD	KELLOGG	PARKER	SUTHERLAND	SPEAKER
CRANDALL				

Those who voted in the negative, were

BAKER	CRAWFORD	GRADY	MCDONOUGH	SEARING
BATHE	CROWLEY	HENRY	MEYENBORG	SLITER
BERRIGAN	CURRAN	HOLAHAN	PATTERSON	STORY
BROWNING	DOUGLASS	JONES	PROPER	THAIN
BURNS	FOSTER	LANGNER	PURDY	WEMPLE
CLANCY	GALVIN	MAPES		

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HULME	NORTH	SHELDON
ALVORD	DALY	HURD	PALMER	SKINNER
ANDREWS	DAY	JONES	PARKER	E. TAYLOR
BAKER	DUELL	KEEGAN	PATTENGILL	J. T. TAYLOR
BATHE	FISH	KELLOGG	DEWITT C. PECK	TERRY
BERGEN	FITZGERALD	KING	PIPER	THOMSON
BERRIGAN	FLOYD-JONES	LANGNER	POOL	VALENTINE
BERRY	FLYNN	MATTISON	PRESCOTT	WADSWORTH
BOUCK	FOSTER	MCDONOUGH	REYNOLDS	WARING
BROOKS	GILBERT	MEKEEL	ROWLAND	WEMPLE
BRUNDAGE	GRAHAM	J. H. MILLER	SAWYER	WHEELER

CASE	GRIGGS	S. V. R. MILLER	SEARING	WILLERS
CHASE	HENRY	MOLLER	SEEBACHER	WILLIAMS
CLAPP	HEPBURN	MOOERS	SEWELL	WILLIS
CONVERSE	HOLBROOK	MEYENBORG	SHANLEY	WINCH
CRANDALL	HOYT	NELSON	SHEARD	WORTH

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish offered, for the consideration of the House, a resolution in the words following:

Resolved, That no member be permitted to speak more than five minutes on any one question without unanimous consent.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate bill entitled "An act to amend chapter 168 of the Laws of 1864, entitled 'An act to incorporate the Musical Mutual Protective Union,' passed April 11, 1864," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ALLEN	DAY	HOYT	NOYES	SKINNER
ALVORD	DEYOE	HULME	PALMER	STRACK
ANDREWS	DOUGLASS	JONES	PARKER	SUTHERLAND
BAKER	DUELL	KEATOR	PATTENGILL	E. TAYLOR
BERGEN	FLOYD-JONES	KELLOGG	CICERO C. PECK	TERRY
BERRIGAN	FLYNN	KERN	DEWITT C. PECK	THAIN
BERRY	FOSTER	KING	PIPER	THOMSON
BOUCK	GALVIN	LANGNER	POOL	VALENTINE
BROWNING	GILBERT	LOVELAND	PRESCOTT	WADSWORTH
BRUNDAGE	GRAHAM	MATTISON	REYNOLDS	WAKELY
CHAPPELL	GRIGGS	MEKEEL	ROBERTS	WEMPLE
CHASE	I. I. HAYES	J. H. MILLER	ROWLAND	WHEELER
CLAPP	HENRY	S. V. R. MILLER	SAWYER	WILBOR
CONVERSE	HEPBURN	MOLLER	SEARING	WILLERS
COBBACK	HOBBIE	MOOERS	SEEBACHER	WILLIS
CRANDALL	HOLAHAN	MEYENBORG	SHEARD	WINCH
DALY	HOLBROOK	NORTH	SHELDON	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs reservation, by the Commissioners of the Land Office,'" with a message that they had agreed to the report of the committee of conference on said bill, in the words following:

To the Legislature:

Your committee of conference, to which were referred the matters of difference between the two Houses, upon Assembly bill No. 346, entitled "An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs reservation by the Commissioners of the Land Office,'" beg leave respectfully to report that they have met and duly considered such matters of difference, and have agreed to recommend the following amendments to the bill, by adding to the first section thereof, the following, as sections 2, 3 and 4:

"§ 2. The Commissioners of the Land Office are hereby authorized and required, upon the application of the superintendent of the salt springs, to examine into the condition of the coarse salt vats and lands situated between the tracks of the New York Central and Hudson River railroad, in the town of Geddes, Onondaga county, and if it shall appear to them that the same have been rendered unsuitable for the manufacture of salt, by reason of the erection of fine salt chimneys in the neighborhood, or for other reasons for which the owners thereof are not responsible, they are hereby further authorized and required to appraise and estimate the value of said lands, and to dispose of them in the same manner as is provided by law for the sale of fine salt lands or lots, and shall procure, for the lessees of said lands, other lands suitable for their use, and the cost of said land so to be purchased, together with the expense of the removal of said vats, shall be paid from the proceeds of the lands so ordered to be sold.

"§ 3. The superintendent of the salt springs shall have full charge of the removal of such vats, and the expense thereof shall be paid upon his certificate.

"§ 4. This act shall take effect immediately."

And your committee have further agreed to recommend that the title of said bill shall be amended so as to read as follows :

"An act to amend chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs reservation, by the Commissioners of the Land Office,' and to authorize the sale of certain coarse-salt lands, the removal of vats therefrom, and the purchase of other lands in lieu thereof."

All of which is respectfully submitted.

D. McCARTHY,
N. T. GOODWIN,
D. S. LYNDE,

Senate Committee.

THOMAS G. ALVORD,
R. P. CORMACK,
SHERMAN WILLIAMS,
S. G. SEARING,
W. A. CRANDALL,

Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 3.

Those who voted in the affirmative, were

ALLEN	DEVOE	HOLBROOK	NOYES	SKINNER
ALVORD	DUELL	HOYT	PALMER	SUTHERLAND
ANDREWS	FISH	HULME	PARKER	E. TAYLOR
ASTOR	FITZGERALD	HURD	PATTENGILL	TERRY
BERGEN	FLOYD-JONES	JONES	DEWITT C. PECK	THAIN
BERRIGAN	FOSTER	KELLOGG	PIPER	THOMSON
BERRY	FRANK	KERN	REYNOLDS	VALENTINE
BOUCK	GRADY	KING	ROBERTS	WADSWORTH
BROWNING	GRAHAM	LANGNER	ROWLAND	WAKELY
BRUNDAGE	GRIGGS	LOVELAND	SAWYER	WARING
CASE	HALLIDAY	MEKEEL	SEARING	WHEELER
CHAPPELL	HAMILTON	J. H. MILLER	SEEBACHER	WILBOR
CLAPP	I. I. HAYES	S. V. R. MILLER	SEWELL	WILLIS
CROWLEY	HENRY	MOLLER	SHANLEY	WINCH
DALY	HEPBURN	MOOERS	SHEARD	WORTH
DAY	HOBBIE	NORTH	SHELDON	

Those who voted in the negative, were

COSAD	CURRAN	WILLERS
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Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the committee of conference.

The Senate bill entitled "An act relating to the Ladies' Deborah Nursery and Child's Protectory, of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HENRY	NOYES	STRACK
ALLEN	CORMACK	HOLAHAN	PARKER	SUTHERLAND
ALVORD	COSAD	HOYT	PATTERSON	THAIN
ANDREWS	CRANDALL	HULME	DEWITT C. PECK	THOMSON
BERGEN	CROWLEY	JONES	PIPER	TOWNSLEY
BERRIGAN	DALY	KELLOGG	PRESCOTT	VALENTINE
BERRY	DAY	KING	REYNOLDS	WADSWORTH
BROOKS	FISH	LANGNER	ROBERTS	WAKELY
BROWNING	FITZGERALD	LOVELAND	SAWYER	WEMPLE
BRUNDAGE	FLOYD-JONES	MATTISON	SEEBACHER	WILBOR
BURNS	FRANK	MCDONOUGH	SEWELL	WILLERS
CASE	GALVIN	MEAD	SHEARD	WILLIAMS
CHAPPELL	GILBERT	S. V. R. MILLER	SHELDON	WILLIS
CHASE	GRADY	MOLLER	SKINNER	WINCH
CLANCY	HAMILTON	NEILSON	STORY	WORTH
CLAPP	I. I. HAYES	NORTH		

Those who voted in the negative, were

CRAWFORD	CURRAN	PROPER
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Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act relative to the collection of taxes and assessments in the city of Brooklyn," with a message that they had concurred in all the amendments of the Assembly to said bill, except that proposed to the fifth section, and as to that section it shall read as follows :

"§ 5. On the redemption of any lands from any sale hereafter had for unpaid taxes, assessments or water rates in the city of Brooklyn, the person or persons, corporation or corporations, applying for such redemption, shall pay or cause to be paid interest at the rate of fifteen per centum per annum on all sums upon which interest is payable under the provisions of the charter of the said city, in case of such redemption; and the holder or holders of any certificate or certificates of such sales shall be entitled, on such redemption, to demand and receive interest at the rate aforesaid, in lieu of the rate of interest heretofore provided, and in addition to the other charges authorized by the said charter."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 80.

NOES 1.

Those who voted in the affirmative, were.

ABBOTT	DOUGLASS	KEATOR	PARKER	SHELDON
ALVORD	FISH	KEEGAN	PATTENGILL	SKINNER
ANDREWS	GALVIN	KERN	PATTERSON	E. TAYLOR
BEARD	GRADY	KING	CICERO C. PECK	TERRY
BERRIGAN	GRAHAM	LANGNER	DEWITT C. PECK	THAIN
BERRY	GRIGGS	LOVELAND	PIPER	THOMSON
BROWNING	HALLIDAY	LOWING	PRESCOTT	TOWNSLEY
CASE	HAMILTON	MCDONOUGH	PROPER	VALENTINE
CHAPPELL	HAVENS	MEKEEL	REYNOLDS	WADSWORTH
CHASE	HEPBURN	J. H. MILLER	ROBERTS	WAKELY
CLAPP	HOLAHAN	S. V. R. MILLER	ROWLAND	WARING
CONVERSE	HOLBROOK	MOLLER	SAWYER	WEMPLE
CRANDALL	HOYT	MOOERS	SEARING	WILBOR
CROWLEY	HULME	NORTH	SEEBACHER	WILLIS
DALY	HURD	NOYES	SEWELL	WINCH
DAY	JONES	PALMER	SHEARD	WORTH

For the negative,

CURRAN

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

Mr. Terry called from the table the Assembly bill entitled "An act to amend chapter 30 of the Laws of 1876, entitled 'An act to amend chapter 520 of the Laws of 1870, entitled An act to establish and maintain a police force in the city of Troy, and to increase the powers and duties of the police commissioners of said city,' passed February 28, 1876."

Said bill having been announced for a third reading,

On motion of Mr. Terry, and by unanimous consent, said bill was amended in the words following :

Strike out all after the words "election poll," in the eighth line of the first section of the printed bill, down to the words "and such poll clerks," in the tenth line of such section, and insert in place thereof the words, "and appoint three persons of different political faith and opinions on State issues, as poll clerks in and for each election district in the said city of Troy, who shall be notified of their appointment, and sworn as poll clerks, and who shall serve as poll clerks in the election districts for which they shall respectively be appointed."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 72.

NOES 9.

Those who voted in the affirmative, were

ALVORD	CONVERSE	HOYT	NORTH	SKINNER
ANDREWS	CORMACK	HULME	PARKER	STORY
BEARD	CRANDALL	HURD	DEWITT C. PECK	SUTHERLAND
BERGEN	DALY	JONES	PRESCOTT	E. TAYLOR
BERRIGAN	DOUGLASS	KEATOR	PURDY	TERRY
BERRY	DUELL	KERN	REYNOLDS	THAIN
BOUCK	FISH	KING	ROBERTS	THOMSON
BROOKS	FLOYD-JONES	LOWING	ROWLAND	VALENTINE
BROWNING	GALVIN	MATTISON	SAWYER	WADSWORTH
BRUNDAGE	GILBERT	MEAD	SEEBACHER	WARING
BURNS	GRAHAM	MEKEEL	SEWELL	WEMPLE
CHAPPELL	I. I. HAYES	S. V. R. MILLER	SHANLEY	WILBOR
CHASE	HENRY	MOLLER	SHEARD	WINCH
CLANCY	HOBBIE	MOOERS	SHELDON	WORTH
CLAPP	HOLBROOK			

Those who voted in the negative, were

ALLEN	CRAWFORD	CURRAN	LANGNER	PIPER
BAKER	CROWLEY	HAVENS	LOVELAND	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Thain offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 11, entitled "An act to amend chapter 449 of the Laws of 1876, entitled 'An act explaining, defining, and regulating the effect and application of, and otherwise relating to, the act passed at this session of the Legislature, entitled An act relating to courts, officers of justice, and civil proceedings,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Fitzgerald offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 114, entitled "An act to provide for the abatement of nuisances by boards of health of incorporated cities," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

The Senate bill entitled "An act in relation to the property and families of absconding persons," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DEYOE	HOYT	PARKER	SUTHERLAND
ALVORD	DUELL	HULME	DEWITT C. PECK	E. TAYLOR
ANDREWS	FISH	HURD	PIPER	TERRY
BAKER	FITZGERALD	JONES	PRESCOTT	THAIN
BATHE	FLOYD-JONES	LANGNER	PURDY	THOMSON
BERGEN	GALVIN	LOVELAND	REYNOLDS	VALENTINE
BERRY	GILBERT	LOWING	ROBERTS	WADSWORTH
BOUCK	GRADY	MATTISON	ROWLAND	WAKELY
BROOKS	GRAHAM	MEKEEL	SAWYER	WARING
BROWNING	GRIGGS	J. H. MILLER	SEARING	WEMPLE
CASE	HAMILTON	S. V. R. MILLER	SEEBACHER	WILBOR
CHAPPELL	I. I. HAYES	MOLLER	SHEARD	WILLERS
CHASE	HENRY	MOOERS	SHELDON	WILLIS
CLAPP	HEPBURN	NORTH	SKINNER	WINCH
CONVERSE	HOBBIE	PALMER	STORY	WORTH
CORMACK	HOLBROOK			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bills :

"An act to amend chapter 907 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same ; so as to permit municipal corporations to aid in the construction of railroads,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend section 5 of chapter 427 of the Laws of 1855, entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

The Senate returned the resolution relative to the New Capitol building, with a message that they had concurred in the passage of the same.

The Senate sent for concurrence a resolution in the words following :

Whereas, By a joint resolution, which passed the Senate on the 14th day of February, 1878, the Governor was authorized to appoint two commissioners to represent this State at the International Exposition to be held at Paris in 1878; therefore,

Resolved (if the Assembly concur), That the Governor appoint two additional commissioners to represent the interests of this State at such International Exposition, such commissioners not to be entitled to any compensation, and to be charged respectively with such duties as may be designated by the Governor.

By unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 680 of the Laws of 1872, entitled 'An act to amend an act entitled An act in relation to wills,' passed April 23, 1864," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 75.

NOES 4.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOYT	PARKER	SLITER
ALLEN	CROWLEY	JONES	CICERO C. PECK	STORY
ANDREWS	DAY	KEEGAN	DEWITT C. PECK	SUTHERLAND
BAKER	DUELL	KELLOGG	PRESCOTT	E. TAYLOR
BEARD	FISH	KERN	REYNOLDS	TERRY
BERGEN	FLOYD-JONES	LOVELAND	ROBERTS	THOMSON
BERRIGAN	FOSTER	MATISON	ROWLAND	VALENTINE
BERRY	FRANK	MEAD	SAWYER	WADSWORTE
BOUCK	GALVIN	MEKEEL	SEARING	WAKELY
BROOKS	GRAHAM	J. H. MILLER	SEEBACHER	WARING
CASE	HAMILTON	MOLLER	SEWELL	WEMPLE
CHAPPELL	HAVENS	MOOERS	SHANLEY	WILBOR
CLANCY	I. I. HAYES	MEYENBORG	SHEARD	WILLIS
CLAPP	HENRY	NORTH	SHELDON	WINCH
CLARK	HOBBIE	NOYES	SKINNER	WORTH

Those who voted in the negative, were

ALVORD	CHASE	CURRAN	HULME
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Ordered, That the Clerk return said bill to the Senate, with a message, informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was referred the bill, Int. No. 258, entitled "An act to provide for the payment of counsel employed by the Attorney-General in behalf of the State," reported in favor of the the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

Mr. Berry presented a report from the sub-committee of the whole.

Mr. Berry moved that said bill be considered immediately.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Berry, from the sub-committee of the whole, to which was referred the Senate bill No. 167, entitled "An act to prevent the removal of actions to the Circuit Court of the United States by foreign insurance companies," reported in favor of the passage of the same, with an amendment.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill was ordered to a third reading.

Mr. Bergen moved to take from the table the Assembly bill entitled "An act to provide for the collection and payment of the assessment for the improvement of a public highway or avenue from Prospect Park in the city of Brooklyn toward Coney Island, in the county of Kings, known as the Ocean Parkway, laid out and improved pursuant to chapter 861 of the Laws of 1869, as amended by chapter 726 of the Laws of 1872."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the negative.

The Senate sent for concurrence the bill entitled as follows:

"An act making an appropriation to pay an award of the Canal Appraisers in favor of Peter Voorhees, as modified by the Court of Appeals," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sheard, and by unanimous consent, said bill was ordered to a third reading.

Mr. Purdy offered, for the consideration of the House, a resolution in the words following:

Resolved, That when this House adjourns it adjourns to meet at eight o'clock this evening.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The committee of conference appointed by the Senate and Assembly, to which was referred the matter in difference between the two Houses upon the Assembly bill entitled "An act to amend chapter 863 of the Laws of 1873, and chapter 633 of the Laws of 1875, entitled 'An act to amend the charter of the city of Brooklyn,'" having met and duly considered the same, have agreed to recommend that section 2, as proposed by the Senate, shall be amended so as to read as follows:

"§ 2. Section nine of title twelve of chapter six hundred and thirty-three, Laws of eighteen hundred and seventy-five, entitled 'An act to amend chapter eight hundred and sixty-three of the Laws of eighteen

hundred and seventy-three, entitled 'An act to amend the charter of the city of Brooklyn,' is hereby amended so as to read as follows :

"§ 9. The department of city works, in conjunction with the department of health, shall have full and exclusive power to make contracts for the removal of all offal, dead animals, or other refuse matter from the city of Brooklyn for a period not exceeding five years. The department of health shall have full and exclusive power to make contracts for the removal in and from said city of all night soil and garbage, and also for the cleaning of the streets, avenues, and places of said city, and collecting and removing ashes in and from said city, and keeping the said streets, avenues, and places clear of encroachments, obstructions, and incumbrances for the period of not less than one nor more than five years, and to require and receive bonds in such form and amount as the said department may approve, for the faithful performance by the person or persons to whom such contracts may by said department, in its discretion, have been awarded, of all and every of the provisions of such contracts made by it, or which may be entered into under this section, as well as all existing contracts for the collecting and removal of the matters as aforesaid, and the cleaning of the streets, avenues, and places in said city, whenever the contractor shall refuse or neglect to perform any of the stipulations of such contract. Upon contracts for the removal of offal, dead animals, or other refuse matter, the department of city works, in conjunction with the department of health, shall have full and exclusive power to require and receive bonds as the said department jointly may approve, as to form and amount conditioned, as hereinbefore provided for the bonds given upon contracts made by said department of health."

And in the said amendment, as so amended, the House concurs.

Amend section 3 so as to read as follows :

"§ 3. Section ten of said last mentioned act is hereby amended so as to read as follows :

"§ 10. All contracts for the removal of offal, dead animals or other refuse, shall be signed by the president of the two boards, and no such contract shall be made or terminated, except by the affirmative vote of a majority of the members of the conjoint boards of health and city works. All contracts for the removal of the night soil and garbage, and the cleaning of the streets, avenues and places of said city, and collecting and removing ashes in and from said city, and keeping the said streets clear of encroachments, obstructions and incumbrances, shall be signed by the president of the said department of health, and no such contract shall be made or terminate except by the affirmative vote of a majority of the members of the said department of health. All contracts, when so made, shall be carried out and executed under the supervision of the board or boards making the same."

And in the said amendment, as so amended, the House concurs.

The House concurs in the amendment to the title as made by the Senate.

JOHN C. JACOBS,
THEO. M. POMEROY,
Senate Committee.

THOS. F. GRADY,
HAMILTON FISH, JR.,
JOHN H. BERGEN,
JACOB WORTH,
WM. H. WARING,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	DEYOE	HOLBROOK	NORTH	SHELDON
ALLEN	DURELL	HOYT	PALMER	SKINNER
ALVORD	FISH	HULME	PARKER	STRACK
ANDREWS	FITZGERALD	JONES	PATTENGILL	SUTHERLAND
BATHE	FLOYD-JONES	KERN	CICERO C. PECK	E. TAYLOR
BEARD	FLYNN	KING	DEWITT C. PECK	TERRY
BERGEN	FOSTER	LANGNER	PEEK	THOMSON
BERRY	FRANK	LOWING	PIPER	TOWNSLEY
BRUNDAGE	GALVIN	MATTISON	PRESCOTT	VALENTINE
BURNS	GRAHAM	MEAD	PURDY	WADSWORTH
CHAPPELL	GRIGGS	MEKEEL	REYNOLDS	WAKELY
CLANCY	HAMILTON	J. H. MILLER	ROBERTS	WARING
CLAPP	HAVENS	MOLLER	ROWLAND	WHEELER
CLARK	I. I. HAYES	MOOERS	SEARING	WILBOR
CRANDALL	HEPBURN	NEILSON	SEWELL	WINCH
DALY	HOBBIE	NELSON	SHEARD	WORTH
DAY	HOLAHAN			

For the negative,

WILLERS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the conference committee.

Mr. Fish offered, for the consideration of the House, a privileged resolution in the words following :

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return of Assembly bill No. 325, entitled "An act relating to certain public burdens of the various cities of the State," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 416 of the Laws of 1877, entitled 'An act relating to courts, officers of justice and civil proceedings,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 83.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	FOSTER	KING	PRESCOTT	J. T. TAYLOR
ALLEN	GALVIN	LANGNER	PURDY	TERRY
ALVORD	GILBERT	LOVELAND	REYNOLDS	THAIN
ANDREWS	GRADY	LOWING	ROBERTS	THOMSON
BAKER	GRAHAM	MATTISON	ROWLAND	TOWNSLEY
BERRY	GRIGGS	MEKEEL	SAWYER	VALENTINE
BROWNING	HAMILTON	J. H. MILLER	SEARING	WADSWORTH
BRUNDAGE	I. I. HAYES	S. V. R. MILLER	SEEBACHER	WAKELY
CASE	HENRY	MOLLER	SEWELL	WARING

CHASE	HOBBIE	MOOERS	SHANLEY	WHEELER
CLAPP	HOLBROOK	MEYENBORG	SHEARD	WILBOR
CLARK	HOYT	NORTH	SHELDON	WILLERS
CRANDALL	HULME	NOYES	SKINNER	WILLIAMS
DEYOE	HURD	PARKER	STRACK	WILLIS
DOUGLASS	JONES	CICERO C. PECK	SUTHERLAND	WINCH
DUELL	KEEGAN	DEWITT C. PECK	E. TAYLOR	WORTH
FISH	KERN	PIPER		

For the negative,

BEARD

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 417 of the Laws of 1877, entitled 'An act to repeal certain acts and parts of acts,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 77.

NOES 4.

Those who voted in the affirmative, were

ABBOTT	FLOYD-JONES	KELLOGG	PIPER	SUTHERLAND
ALLEN	FLYNN	KING	POOL	E. TAYLOR
ANDREWS	FOSTER	LANGNER	PRESCOTT	TERRY
BATHE	GILBERT	LOVELAND	PROPER	THAIN
BERGEN	GRAHAM	LOWING	PURDY	THOMSON
BERRY	GRIGGS	MATTISON	ROBERTS	VALENTINE
BROOKS	HAMILTON	MEKEEL	ROWLAND	WADSWORTH
BRUNDAGE	HAVENS	MOLLER	SAWYER	WAKELY
CONVERSE	I. I. HAYES	MOOERS	SEARING	WARING
CORMACK	HENRY	MEYENBORG	SEWELL	WEMPLE
CRANDALL	HOBBIE	NORTH	SHANLEY	WHEELER
DALY	HOYT	PARKER	SHEARD	WILBOR
DAY	HULME	PATTENGILL	SHELDON	WILLIAMS
DOUGLASS	HURD	PATTERSON	SKINNER	WINCH
DUELL	JONES	DEWITT C. PECK	STORY	WORTH
FISH	KEEGAN			

Those who voted in the negative, were

ALVORD	CURRAN	WILLERS	WILLIS
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act in reference to a site for an additional State prison," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows :

AYES 54.

NOES 32.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	GRIGGS	J. H. MILLER	SHELDON
ALLEN	CRANDALL	HAMILTON	MOLLER	SKINNER
ALVORD	CROWLEY	HENRY	MOOERS	STORY
ANDREWS	DALY	HOBBIE	NIVEN	THAIN
BERGEN	DAY	HOLAHAN	NORTH	THOMSON
BERRY	DUELL	HOYT	NOYES	WADSWORTH
BROOKS	FISH	HULME	CICERO C. PECK	WILBOR

BRUNDAGE	FLOYD-JONES	KING	PIPER	WILLIS
BURNS	FLYNN	LANGNER	POOL	WINCH
CASE	FOSTER	MCDONOUGH	SEARING	WORTH
CHAPPELL	GRAHAM	MEKEEL	SHEARD	

Those who voted in the negative, were

BAKER	GILBERT	LOVELAND	PEEK	SUTHERLAND
BATHE	HAVENS	LOWING	PRESCOTT	E. TAYLOR
BEARD	HURD	MAPES	REYNOLDS	TERRY
BERRIGAN	JONES	PARKER	ROBERTS	VALENTINE
CLARK	KEATOR	PATTENGILL	ROWLAND	WILLERS
CURRAN	KEEGAN	DEWITT C. PECK	SAWYER	WILLIAMS
DEYOE	KELLOGG			

Mr. Graham moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

The Senate bill entitled "An act to regulate the use of certain docks in the city of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 76.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	DOUGLASS	HULME	NELSON	SHELDON
ALLEN	FISH	HURD	NORTH	SKINNER
ALVORD	FLOYD-JONES	JONES	NOYES	STORY
BEARD	FOSTER	KEATOR	PALMER	SUTHERLAND
BERGEN	GALVIN	KING	PATTENGILL	E. TAYLOR
BOUCK	GILBERT	LANGNER	PATTERSON	THAIN
BRUNDAGE	GRADY	LOVELAND	DEWITT C. PECK	THOMSON
BURNS	GRAHAM	MAPES	PEEK	VALENTINE
CASE	GRIGGS	MCDONOUGH	PIPER	WADSWORTH
CHAPPELL	HAMILTON	MEAD	PRESCOTT	WAKELY
CLANCY	HAVENS	MEKEEL	ROBERTS	WEMPLE
CONVERSE	I. I. HAYES	J. H. MILLER	ROWLAND	WILBOR
CRANDALL	HOBBIE	S. V. R. MILLER	SEARING	WILLIS
CROWLEY	HOLAHAN	MOLLER	SEWELL	WINCH
DALY	HOYT	MEYENBERG	SHEARD	WORTH
DEYOE				

For the negative,

CURRAN

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act in relation to trust companies and certain other moneyed corporations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 76.

NOES 18.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HOBBIE	PALMER	SHELDON
ALVORD	FISH	HOYT	PARKER	SKINNER
ANDREWS	FITZGERALD	HULME	PATTENGILL	SLITER

BAKER	FLOYD-JONES	HURD	PEEK	SUTHERLAND
BERGEN	FLYNN	JONES	PIPER	E. TAYLOR
BERRY	FOSTER	KEEGAN	POOL	THAIN
BOUCK	GILBERT	KELLOGG	PRESCOTT	THOMSON
BROOKS	GRAHAM	LOVELAND	PURDY	TOWNSLEY
BRUNDAGE	GRIGGS	LOWING	REYNOLDS	VALENTINE
CHAPPELL	HALLIDAY	MAPES	ROWLAND	WADSWORTH
CLANCY	HAMILTON	MEAD	SAWYER	WEMPLE
CLAPP	HAVENS	MEKEEL	SEEBACHER	WILBOR
CONVERSE	I. I. HAYES	MOOERS	SEWELL	WILLERS
CORMACK	J. HAYES	NELSON	SHANLEY	WILLIAMS
COSAD	HENRY	NOYES	SHEARD	WILLIS
CRANDALL				

Those who voted in the negative, were

BEARD	DAY	GRADY	MCDONOUGH	PROPER
BROWNING	DOUGLASS	HOLOHAN	NORTH	SEARING
CROWLEY	FRANK	KEATOR	CICERO C. PECK	WINCH
CURRAN	GALVIN	LANGNER		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 466 of the Laws of 1877, entitled 'An act in relation to assignments of the estates of debtors for the benefit of creditors,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 68.

NOES 11.

Those who voted in the affirmative, were

ABBOTT	CLANCY	HAMILTON	NORTH	SKINNER
ALLEN	CLAPP	J. HAYES	NOYES	SUTHERLAND
ALVORD	CONVERSE	HOBBIE	PARKER	E. TAYLOR
ANDREWS	COSAD	HOLBROOK	PEEK	THAIN
BAKER	CRANDALL	HOYT	PIPER	THOMSON
BERGEN	DAY	HULME	PRESCOTT	VALENTINE
BERRY	FISH	JONES	PURDY	WADSWORTH
BOUCK	FLOYD-JONES	LANGNER	REYNOLDS	WEMPLE
BROOKS	FLYNN	LOVELAND	ROBERTS	WILBOR
BROWNING	FOSTER	LOWING	ROWLAND	WILLERS
BURNS	GALVIN	MAPES	SAWYER	WILLIAMS
CASE	GILBERT	MATTISON	SEARING	WILLIS
CHAPPELL	GRADY	MEKEEL	SEWELL	WINCH
CHASE	GRIGGS	NELSON		

Those who voted in the negative, were

BRUNDAGE	MOOERS	PALMER	CICERO C. PECK	SHEARD
KELLOGG	MEYENBORG	PATTENGILL	POOL	SHELDON
MEAD				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Alvord moved that the House take a recess until 8 o'clock and 30 minutes, to meet again at that time, and adjourn again at 10 o'clock P. M., to meet to-morrow morning at 8 o'clock and 30 minutes A. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 7 o'clock and 10 minutes, the House took a recess until 8 o'clock and 30 minutes this afternoon.

HALF - PAST EIGHT O'CLOCK, P. M.

The House again met.

On motion of Mr. Speaker, and by unanimous consent, Senate bill entitled "An act to protect the rights of citizens of this State holding claims against other States," was ordered to a third reading.

The bill entitled "An act to amend chapter 366 of the Laws of 1877, entitled 'An act to provide for the introduction of the Stevenson traction system of towage on the Erie canal,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 71.

NOES 18.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HOBBIE	NEILSON	SKINNER
ALLEN	CRANDALL	HOLBROOK	NOYES	SUTHERLAND
ALVORD	DALY	HOYT	PARKER	E. TAYLOR
ANDREWS	DAY	HULME	PATTENGILL	J. T. TAYLOR
BAKER	DOUGLASS	KEEGAN	PEEK	TERRY
BERGEN	DUELL	KERN	POOL	THAIN
BERRY	FISH	KING	PURDY	THOMSON
BOUCK	FITZGERALD	LANGNER	ROWLAND	VALENTINE
BROOKS	FLOYD-JONES	MAPES	SAWYER	WADSWORTH
BRUNDAGE	FLYNN	MEAD	SEARING	WAKELY
BURNS	FOSTER	J. H. MILLER	SEEBACHER	WARING
CHAPPELL	FRANK	S. V. R. MILLER	SHANLEY	WILBOR
CLANCY	GILBERT	MOOERS	SHEARD	WILLIAMS
CLARK	HAMILTON	MEYENBORG	SHELDON	WORTH
CONVERSE				

Those who voted in the negative, were

BEARD	GRIGGS	LOVELAND	PIPER	ROBERTS
COSAD	HAVENS	MOLLER	PRESCOTT	STRACK
CROWLEY	JONES	PALMER	REYNOLDS	WILLERS
CURRAN	KEATOR	DEWITT C. PECK		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to facilitate the discharge of debtors imprisoned by virtue of executions in civil cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 74.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HULME	NEILSON	SKINNER
ALLEN	DALY	HURD	NOYES	SUTHERLAND
ALVORD	DAY	JONES	PALMER	E. TAYLOR
ANDREWS	DOUGLASS	KEEGAN	PARKER	J. T. TAYLOR
BEARD	FISH	KING	PATTENGILL	THAIN
BERGEN	FLOYD-JONES	LANGNER	DEWITT C. PECK	THOMSON
BERRY	FLYNN	LOVELAND	PEEK	TOWNSLEY
BOUCK	FOSTER	LOWING	PIPER	VALENTINE
BROOKS	GILBERT	MAPES	POOL	WAKELY

BRUNDAGE	GRAHAM	MCDONOUGH	REYNOLDS	WARING
BURNS	HAMILTON	MEAD	SAWYER	WILBOR
CHAPPELL	HAVENS	J. H. MILLER	SEEBACHER	WILLIAMS
CLANCY	HOBBIE	S. V. R. MILLER	SHANLEY	WINCH
CONVERSE	HOLBROOK	MOOERS	SHEARD	WORTH
CORMACK	HOYT	MEYENBORG	SHELDON	

Those who voted in the negative, were

DUELL	PRESCOTT	WILLERS
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Parker offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee on villages be discharged from the further consideration of the bill entitled "An act to amend the charter of the village of Dunkirk," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Bergen offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 200, entitled "An act for the preservation of the public peace, the protection of private property and the maintenance of law and good order in the town of Flatbush, in Kings county," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Chappell offered, for the consideration of the House, a resolution in the words following :

Resolved, That Senate bill No. 327, entitled "An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' and the various acts amendatory thereof, or relating to the city of Rochester," be referred to the committee on affairs of cities, with instructions to amend as follows, and report forthwith :

Strike out of section 245 the words "and shall have all the jurisdiction of a justice of the peace in towns in any criminal matter arising in the county of Monroe."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate bill entitled "An act relating to powers of attorney by married women," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 79.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CURRAN	HULME	NELSON	SUTHERLAND
ALLEN	DALY	HURD	NOYES	E. TAYLOR
ALVORD	DAY	JONES	PARKER	J. T. TAYLOR
ANDREWS	DEYOE	KEATOR	PATTENGILL	TERRY
BAKER	DUELL	KEEGAN	PATTERSON	THAIN
BERGEN	FISH	KELLOGG	DEWITT C. PECK	THOMSON
BERRIGAN	FLOYD-JONES	KING	PEEK	VALENTINE
BERRY	FLYNN	LOVELAND	PIPER	WADSWORTH
BOUCK	FOSTER	LOWING	POOL	WAKELY
BROOKS	GILBERT	MATTISON	REYNOLDS	WARING
BRUNDAGE	HAMILTON	MCDONOUGH	ROWLAND	WILBOR
BURNS	HAVENS	MEAD	SAWYER	WILLERS
CHAPPELL	HEPBURN	S. V. R. MILLER	SEARING	WILLIAMS
CONVERSE	HOBBIE	MOOERS	SEEBACHER	WILLIS
CORMACK	HOLBROOK	MEYENBORG	SHELDON	WINCH
COSAD	HOYT	NEILSON	SKINNER	

For the negative,

PRESCOTT

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act in relation to the non-resident highway tax in the town of Thurman, in the county of Warren," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	DAY	KEATOR	NOYES	STRACK
ALLEN	DEYOE	KEEGAN	PALMER	SUTHERLAND
ANDREWS	FISH	KELLOGG	PARKER	E. TAYLOR
BAKER	FLYNN	KING	DEWITT C. PECK	TERRY
BERRIGAN	FOSTER	LANGNER	PEEK	THAIN
BERRY	GILBERT	LOVELAND	PIPER	THOMSON
BOUCK	HAMILTON	LOWING	POOL	TOWNSLEY
BROOKS	HAVENS	MAPES	PRESCOTT	VALENTINE
BRUNDAGE	HEPBURN	MEAD	REYNOLDS	WADSWORTH
CHAPPELL	HOBBIE	J. H. MILLER	ROBERTS	WARING
CONVERSE	HOLAHAN	S. V. R. MILLER	ROWLAND	WEMPLE
CORMACK	HOLBROOK	MOLLER	SAWYER	WILBOR
COSAD	HOYT	MOOERS	SEARING	WILLERS
CROWLEY	HULME	MEYENBORG	SHANLEY	WILLIAMS
CURRAN	HURD	NELSON	SHELDON	WILLIS
DALY	JONES	NORTH	SKINNER	

For the negative,

BEARD

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

A communication was received and read from the Governor in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, May 14, 1878. }

To the Assembly :

In accordance with a joint resolution of the Senate and Assembly, I have the honor to return herewith Assembly bill No. 325, entitled "An act relating to certain public burdens of the various cities of the State."

L. ROBINSON.

Mr. Fish moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLBROOK	NOYES	SKINNER
ALLEN	CORMACK	HOYT	PARKER	SLITER
ALVORD	COSAD	HULME	PATTENGILL	STORY
ANDREWS	CROWLEY	HURD	CICERO C. PECK	SUTHERLAND
BAKER	DALY	JONES	DEWITT C. PECK	E. TAYLOR
BATHE	DOUGLASS	KEATOR	PEEK	TERRY
BEARD	DUELL	KEEGAN	PIPER	THOMSON
BERGEN	FISH	KING	PRESCOTT	TOWNSLEY
BERRIGAN	FITZGERALD	LANGNER	PURDY	VALENTINE
BOUCK	FLOYD-JONES	LOVELAND	REYNOLDS	WARING
BROOKS	FLYNN	LOWING	ROBERTS	WEMPLE
BRUNDAGE	FOSTER	MEAD	ROWLAND	WILBOR
CASE	FRANK	J. H. MILLER	SEARING	WILLERS
CHAPPELL	GILBERT	S. V. R. MILLER	SEEBACHER	WILLIAMS
CLANCY	HAMILTON	MOLLER	SEWELL	WILLIS
CLAPP	HEPBURN	MOOERS	SHELDON	WORTH
CLARK	HOBBIE	MEYENBORG		

On motion of Mr. Fish, and by unanimous consent, said bill was recommitted to the committee on affairs of cities, with instructions to amend the same in the words following, and report back forthwith :

Section 3, lines 1 and 2, strike out the words "any judicial or other officer, whose salary is by the Constitution, or by statute," and insert in lieu thereof the words "any judicial officer whose salary is, by article 6 of the Constitution."

Section 5, strike out the words "raised by tax," and insert in lieu thereof the words "included in the final estimate of the amounts required to pay the expenses of conducting the public business of the city in each and every branch thereof."

Lines 11 and 12 of section 5, strike out the words "required to be raised by tax," and insert in lieu thereof the words "included in said final estimate."

Section 5, line 25, after the words "paid out of the city treasury," strike out the words, "other than day laborers," and insert the same before the words "paid out of the city treasury."

Section 5, line 38, after the word "respectively," insert the words "not in a department."

Section 7, lines 5 and 6, after the words "city treasury," strike out the words "shall be null and void from and after," and insert in lieu thereof the words "is also hereby repealed, but the same shall be paid until."

Mr. Fish, from the committee on affairs of cities, reported back said bill amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 4.

Those who voted in the affirmative, were

ABBOTT	DOUGLASS	KELLOGG	PALMER	STORY
ALLEN	DUELL	KING	PARKER	SUTHERLAND
ALVORD	FISH	LANGNER	PATTERSON	E. TAYLOR
ANDREWS	FLOYD-JONES	LOVELAND	DEWITT C. PECK	J. T. TAYLOR
BAKER	FOSTER	LOWING	PIPER	TERRY
BEARD	GILBERT	MEAD	PRESCOTT	THOMSON
BERRY	HAMILTON	MEKEEL	REYNOLDS	TOWNSLEY
BOUCK	HEPBURN	J. H. MILLER	ROBERTS	VALENTINE
BROOKS	HOBBIE	S. V. R. MILLER	ROWLAND	WADSWORTH
BRUNDAGE	HOLBROOK	MOLLER	SAWYER	WARING
CASE	HOYT	MOOERS	SEARING	WEMPLE
CHAPPELL	HULME	MEYENBORG	SEEBACHER	WILBOR
CLARK	HURD	NEILSON	SHANLEY	WILLIAMS
CONVERSE	JONES	NELSON	SHEARD	WILLIS
CORMACK	KEATOR	NORTH	SHELDON	WINCH
DALY	KEEGAN	NOYES	SKINNER	WORTH
DAY				

Those who voted in the negative, were

BATHE	FITZGERALD	MCDONOUGH	PURDY
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate bill entitled "An act to amend chapter 121 of the Laws of 1870, entitled 'An act to amend chapter 135 of the Laws of 1876, entitled 'An act to authorize plankroads and turnpike companies, formed under and by virtue of an act entitled An act to provide for the incorporation of companies to construct plankroads, and of companies to construct turnpike roads,' passed May 7, 1847," having been announced for a third reading,

On motion of Mr. Prescott, and by unanimous consent, said bill was amended as follows :

Section 2, line 1, after the word "Watervliet," insert the word "Central."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 4.

Those who voted in the affirmative, were

ABBOTT	DAY	HULME	PARKER	SHELDON
ALLEN	DOUGLASS	HURD	PATTERSON	SKINNER
ANDREWS	DUELL	JONES	CICERO C. PECK	E. TAYLOR
BAKER	FISH	KEATOR	DEWITT C. PECK	TERRY
BERGEN	FLOYD-JONES	LANGNER	PEEK	THAIN
BERRY	FOSTER	LOVELAND	PIPER	THOMSON
BOUCK	GALVIN	LOWING	PRESCOTT	TOWNSLEY

BROOKS	GILBERT	J. H. MILLER	REYNOLDS	VALENTINE
BROWNING	GRAHAM	S. V. R. MILLER	ROBERTS	WADSWORTH
BURNS	GRIGGS	MOOERS	ROWLAND	WEMPLE
CASE	HAMILTON	MEYENBORG	SAWYER	WILBOR
CHAPPELL	HAVENS	NELSON	SEARING	WILLIAMS
CHASE	I. I. HAYES	NORTH	SEEBACHER	WILLIS
CLAPP	HEPBURN	NOYES	SEWELL	WINCH
CLARK	HOLBROOK	PALMER	SHEARD	WORTH
DALY	HOYT			

Those who voted in the negative, were

BEARD	CORMACK	CURRAN	KELLOGG
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

By unanimous consent,

Mr. Mekeel, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Pierce, Int. No. 243, entitled "An act to incorporate the Brooklyn Church Society of the Methodist Episcopal Church," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Mekeel, and by unanimous consent, said bill was ordered to a third reading.

The Senate bill entitled "An act to incorporate the Homœopathic Medical College of the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOBBIE	MOOERS	SKINNER
ALLEN	CROWLEY	HOLBROOK	MEYENBORG	STORY
ALVORD	CURRAN	HOYT	NORTH	SUTHERLAND
ANDREWS	DALY	HULME	NOYES	E. TAYLOR
BAKER	DAY	HURD	PALMER	J. T. TAYLOR
BERGEN	DUELL	JONES	PARKER	TERRY
BERRIGAN	FISH	KELLOGG	DeWITT C. PECK	THAIN
BERRY	FLOYD-JONES	KERN	PIPER	THOMSON
BOUCK	FLYNN	KING	PRESCOTT	VALENTINE
BROWNING	FOSTER	LANGNER	ROWLAND	WADSWORTH
BRUNDAGE	GALVIN	LOVELAND	SAWYER	WARING
BURNS	GILBERT	LOWING	SEARING	WILBOR
CHAPPELL	GRADY	McDONOUGH	SEEBACHER	WILLERS
CLAPP	GRAHAM	MEKEEL	SEWELL	WILLIS
CLARK	HAVENS	J. H. MILLER	SHEARD	WINCH
CONVERSE	HEPBURN	MOLLER	SHELDON	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend section 52 of article 3, title 1, chapter 6, part 2 of the Revised Statutes, providing that devises and bequests in certain cases shall not lapse," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 77.

NOES 11.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	KEEGAN	NOYES	STORY
ALLEN	CROWLEY	KERN	PARKER	STRACK
ANDREWS	DALY	KING	PATTERSON	SUTHERLAND
BAKER	DAY	LANGNER	DEWITT C. PECK	E. TAYLOR
BATHE	FISH	LOVELAND	PEEK	TERRY
BERGEN	FLOYD-JONES	MATTISON	PIPER	THAIN
BERRIGAN	FLYNN	MEAD	POOL	THOMSON
BERRY	FRANK	MEKEEL	PRESCOTT	TOWNSLEY
BOUCK	GILBERT	J. H. MILLER	REYNOLDS	VALENTINE
BROOKS	HAMILTON	S. V. R. MILLER	ROWLAND	WADSWORTH
BRUNDAGE	I. I. HAYES	MOLLER	SAWYER	WILBOR
CASE	HEPBURN	MOOERS	SEARING	WILLERS
CHAPPELL	HOLBROOK	MEYENBORG	SHEARD	WILLIAMS
CLANCY	HOYT	NELSON	SHELDON	WILLIS
CONVERSE	HULME	NORTH	SKINNER	WORTH
CORMACK	JONES			

Those who voted in the negative, were

ALVORD	CURRAN	HAVENS	KELLOGG	CICERO C. PECK
BEARD	FOSTER	HOBBIE	PATTENGILL	ROBERTS
BURNS				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Worth offered, for the consideration of the House, a privileged resolution, in the words following:

Resolved, That Assembly bill No. 14, entitled "An act to provide for the abatement of nuisances by boards of health of incorporated cities," be recommitted to the committee on public health for amendment.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill entitled "An act to amend chapter 416 of the Laws 1877, entitled 'An act relating to courts, officers of justice, and civil proceedings,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 78.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CLAPP	HAVENS	CICERO C. PECK	SUTHERLAND
ALLEN	CLARK	I. I. HAYES	DEWITT C. PECK	E. TAYLOR
ALVORD	CONVERSE	HOBBIE	PIPER	TERRY
ANDREWS	CORMACK	HOYT	PRESCOTT	THAIN
BAKER	COSAD	HULME	REYNOLDS	TOWNSLEY
BATHE	CRANDALL	JONES	ROBERTS	VALENTINE
BEARD	CRAWFORD	KEEGAN	ROWLAND	WADSWORTH
BERGEN	CROWLEY	KELLOGG	SAWYER	WAKELY
BERRIGAN	CURRAN	KING	SEARING	WARING
BERRY	DAY	LOVELAND	SEEBACHER	WILBOR
BROOKS	FISH	MATTISON	SEWELL	WILLERS
BRUNDAGE	FLOYD-JONES	J. H. MILLER	SHEARD	WILLIAMS
BURNS	FLYNN	NEILSON	SHELDON	WILLIS
CASE	FOSTER	NORTH	SKINNER	WINCH
CHAPPELL	FRANK	NOYES	STRACK	WORTH
CLANCY	HAMILTON	PARKER		

For the negative,

GILBERT

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend article 3, title 4, chapter 2 of part 4 of the Revised Statutes, entitled 'Of the removal of indictments before trial or judgment,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	JONES	PARKER	STRACK
ALLEN	CROWLEY	KELLOGG	CICERO C. PECK	SUTHERLAND
ALVORD	DALY	KERN	DEWITT C. PECK	E. TAYLOR
ANDREWS	DAY	KING	PEEK	TERRY
BAKER	FISH	LANGNER	PIPER	THAIN
BEARD	FLOYD-JONES	LOVELAND	PRESCOTT	THOMSON
BERGEN	FOSTER	MATTISON	REYNOLDS	TOWNSLEY
BERRIGAN	FRANK	MCDONOUGH	ROBERTS	VALENTINE
BOUCK	GRAHAM	MEKEEL	ROWLAND	WADSWORTH
BROOKS	GRIGGS	J. H. MILLER	SAWYER	WAKELY
BROWNING	HAMILTON	S. V. R. MILLER	SEARING	WARING
BRUNDAGE	HAVENS	MOLLER	SEWELL	WILBOR
BURNS	I. I. HAYES	MOOERS	SHEARD	WILLERS
CASE	HEPBURN	MEYENBORG	SHELDON	WILLIAMS
CHAPPELL	HOBBIE	NELSON	SKINNER	WINCH
CLARK	HOYT	NORTH	STORY	WORTH
CONVERSE	HULME	PALMER		

For the negative,

CURRAN

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to make effectual judicial decrees against unknown owners," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CORMACK	I. I. HAYES	MOLLER	SEARING
ALLEN	CRANDALL	HOBBIE	MOOERS	SHANLEY
ALVORD	CROWLEY	HOYT	MEYENBORG	SHEARD
ANDREWS	DALY	HULME	NELSON	SHELDON
ASTOR	DAY	JONES	NORTH	SUTHERLAND
BAKER	DOUGLASS	KELLOGG	NOYES	E. TAYLOR
BERGEN	DUELL	KERN	PARKER	TERRY
BERRIGAN	FISH	KING	PATTERSON	THAIN
BERRY	FLOYD-JONES	LANGNER	CICERO C. PECK	THOMSON
BOUCK	FLYNN	LOVELAND	DEWITT C. PECK	TOWNSLEY
BROOKS	FOSTER	LOWING	PIPER	VALENTINE
BRUNDAGE	GALVIN	MATTISON	PRESCOTT	WADSWORTH
BURNS	GILBERT	MEAD	REYNOLDS	WARING
CASE	GRAHAM	MEKEEL	ROBERTS	WEMPLE
CHAPPELL	GRIGGS	J. H. MILLER	ROWLAND	WILBOR
CLARK	HAMILTON	S. V. R. MILLER	SAWYER	WILLIAMS
CONVERSE				

Those who voted in the negative, were

BEARD

MAPES

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

On motion of Mr. Bergen, and by unanimous consent, Senate bill entitled "An act to extend the time for the sale of the Genesee Valley canal, as provided in chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights, and other property connected therewith,'" was ordered to a third reading.

Mr. Meyenborg offered, for the consideration of the House, a privileged resolution in the words following :

Resolved, That Assembly bill No. 510, entitled "An act to provide for a ferry landing in the city of Brooklyn," be recommitted to the committee on commerce and navigation for amendment, retaining its place on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence a resolution in the words following :

Resolved (if the Assembly concurs), That the Superintendent of State Prisons is hereby requested to report to the Legislature, on or before January 30, 1879, an itemized estimate of the expense of the necessary changes in the State prisons to enable the State to employ convicts without the intervention of contractors, selecting for the purpose of such estimate the classes of employment requiring the least capital and machinery.

Ordered, That said resolution be laid upon the table.

Mr. Bergen moved to take from the table Assembly bill entitled "An act granting additional powers to courts of record."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the negative, as follows :

AYES 19.

NOES 61.

Those who voted in the affirmative, were

BAKER	CLARK	FLYNN	NORTH	SHANLEY
BERGEN	COSAD	GALVIN	PATTENGILL	TERRY
BERRIGAN	CROWLEY	I. I. HAYES	SEARING	WILLIAMS
BURNS	DAY	MEYENBORG	SEEBACHER	

Those who voted in the negative, were

ABBOTT	DALY	HURD	PATTERSON	SKINNER
ALLEN	DEYOE	KEATOR	CICERO C. PECK	STRACK
ALVORD	DOUGLASS	LOVELAND	DEWITT C. PECK	SUTHERLAND
ANDREWS	DUELL	LOWING	PEEK	E. TAYLOR
BEARD	FISH	MATTISON	POOL	J. T. TAYLOR
BERRY	FRANK	MEKEEL	PRESCOTT	THAIN
BOUCK	GILBERT	J. H. MILLER	PROPER	THOMSON
BROOKS	HAVENS	S. V. R. MILLER	REYNOLDS	TOWNSLEY
BRUNDAGE	HEPBURN	MOOERS	ROBERTS	VALENTINE
CASE	HOBBIE	NEILSON	SAWYER	WARING
CHAPPELL	HOYT	NOYES	SHEARD	WILBOR
CLANCY	HULME	PARKER	SHELDON	WORTH
CURRAN				

The Senate bill entitled "An act for the relief of Daniel Farrell," having been announced for a third reading,

Mr. Waring moved that said bill be recommitted to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill entitled "An act to amend chapter 107 of the Laws of 1878, entitled 'An act requiring justices of the peace to give bonds,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 73.

NOES 21.

Those who voted in the affirmative, were

ABBOTT	CHASE	HULME	PATTERSON	SUTHERLAND
ALLEN	CORMACK	HURD	DEWITT C. PECK	E. TAYLOR
ANDREWS	CROWLEY	KEEGAN	PIPER	J. T. TAYLOR
BAKER	DEYOE	KING	POOL	TERRY
BATHE	DOUGLASS	LOVELAND	PRESCOTT	THAIN
BEARD	FISH	MCDONOUGH	REYNOLDS	TOWNSLEY
BERGEN	FITZGERALD	MEKEEL	ROWLAND	VALENTINE
BERRIGAN	FLOYD-JONES	S. V. R. MILLER	SAWYER	WADSWORTH
BERRY	FRANK	MOLLER	SEWELL	WAKELY
BOUCK	GILBERT	MEYENBORG	SHANLEY	WARING
BROOKS	GRADY	NEILSON	SHEARD	WEMPLE
BRUNDAGE	GRAHAM	NELSON	SHELDON	WILBOR
BURNS	HAVENS	NORTH	SKINNER	WILLERS
CASE	I. I. HAYES	NOYES	STRACK	WINCH
CHAPPELL	HENRY	PARKER		

Those who voted in the negative, were

ALVORD	DUELL	HEPBURN	KEATOR	PROPER
CONVERSE	FOSTER	HOBBIE	LOWING	ROBERTS
COSAD	GALVIN	HOYT	J. H. MILLER	SEEBACHER
CURRAN	HAMILTON	JONES	CICERO C. PECK	THOMSON
DALY				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act amending the Code of Civil Procedure," having been announced for a third reading,

On motion of Mr. Grady, said bill was recommitted to the committee on affairs of cities, with instructions to amend the same in the words following, and report forthwith:

Add, at the end of section 1, the following:

"The repeal of the laws conferring upon a graduate of the law department of the University of the City of New York, the right to be admitted to practice as an attorney upon the production of his diploma, shall not affect the right of any male person who will attain his majority between the 1st day of September, 1878, and the 1st day of November, 1878, and who would be entitled to admission but for being a minor. And he may be so admitted as an attorney at any time before the first day of November, 1878, upon his complying with the laws in operation and force at the time of the repeal of said laws."

Mr. Fish, from said committee, reported back said bill, amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 81.

NOES 10.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOYT	MOOERS	SHEARD
ALLEN	CURRAN	HULME	MEYENBORG	SHELDON
ALVORD	DALY	HURD	NORTH	SKINNER
ANDREWS	DAY	JONES	NOYES	SLITER
BAKER	DEYOE	KEEGAN	PALMER	E. TAYLOR
BATHE	DOUGLASS	KELLOGG	PATTENGILL	TERRY
BEARD	FISH	KERN	CICERO C. PECK	THAIN
BERGEN	FLOYD-JONES	KING	DEWITT C. PECK	THOMSON
BERRY	FOSTER	LANGNER	PIPER	TOWNSLEY
BOUCK	GALVIN	LOVELAND	POOL	VALENTINE
BROWNING	GILBERT	LOWING	ROWLAND	WADSWORTH
BURNS	GRADY	MAPES	SAWYER	WAKELY
CHAPPELL	GRAHAM	MATTISON	SEARING	WILBOR
CONVERSE	GRIGGS	MCDONOUGH	SEEBACHER	WILLIAMS
COSAD	HAMILTON	J. H. MILLER	SEWELL	WINCH
CRANDALL	HAVENS	S. V. R. MILLER	SHANLEY	WORTH
CRAWFORD				

Those who voted in the negative, were

CLANCY	MEKEEL	NELSON	PRESCOTT	SUTHERLAND
CORMACK	MOLLER	PATTERSON	PROPER	WILLERS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same, with amendments.

By unanimous consent,

Mr. Gilbert offered, for the consideration of the House, a resolution in the words following :

Resolved, That Assembly bill (not printed), Int. No. 971, entitled "An act to amend chapter 448 of the Laws of 1876, Code of Civil Procedure, may have its third reading to-morrow morning, immediately after the reading of the journal ; when,

The hour of 10 P. M. having arrived, the House adjourned.

WEDNESDAY, MAY 15, 1878.

The House met pursuant to adjournment.

Prayer by Rev. J. B. Campbell.

On motion of Mr. Alvord, the reading of the journal was dispensed with.

Mr. Speaker announced, pursuant to the ninth joint rule, order of business, third reading of bills.

The Senate bill entitled "An act for the relief of John Waller, Jr.," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	DEYOE	KEEGAN	PATTENGILL	STORY
ALLEN	DOUGLASS	KERN	PATTERSON	STRACK
ALVORD	DUELL	KING	CICERO C. PECK	SUTHERLAND
ANDREWS	FISH	LANGNER	PEEK	E. TAYLOR
BAKER	FLOYD-JONES	LOVELAND	POOL	THAIN
BERGEN	FLYNN	LOWING	PRESCOTT	THOMSON
BERRY	FOSTER	MCDONOUGH	PROPER	TOWNSLEY
BROWNING	GALVIN	MEKEEL	REYNOLDS	VALENTINE
BRUNDAGE	GILBERT	J. H. MILLER	ROWLAND	WADSWORTH
CHAPPELL	HALLIDAY	S. V. R. MILLER	SAWYER	WARING
CLANCY	HAVENS	MOOERS	SHANLEY	WHEELER
CLAPP	HOBBIE	MEYENBORG	SHEARD	WILBOR
CLARK	HOLAHAN	NELSON	SHELDON	WILLIS
CORMACK	HOLBROOK	NORTH	SKINNER	WINCH
CROWLEY	HURD	PALMER	SLITER	WORTH
CURRAN	JONES	PARKER		

Those who voted in the negative, were

ASTOR WILLERS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Gilbert, from the committee on public education, presented the following report:

The committee to which was referred the resolution directing certain inquiries to be made touching the normal schools of this State, beg leave to make this further report: That they have not been able to examine and report concerning all of the matters referred to them by said resolution. Your committee would, therefore, submit the following resolution, namely:

Resolved, That said committee be authorized and directed to continue and complete, during the recess of the Legislature, their inquiry and examination into the matters above referred to, with power to report to the next Legislature.

JOHN S. GILBERT,
J. VALENTINE,
J. P. McDONOUGH,
CHAS. R. SKINNER,
O. N. KELLOGG,

J. W. WADSWORTH,
B. GAGE BERRY,
JAMES CHAPPELL,
ARTHUR D. MEAD,

Committee.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

The Senate bill entitled "An act to protect the rights of citizens of this State holding claims against other States," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 90.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HEPBURN	S. V. R. MILLER	SHANLEY
ALLEN	CORMACK	HOBBIE	MOOERS	SHEARD
ALVORD	CRANDALL	HOLAHAN	NELSON	SHELDON
ANDREWS	CRAWFORD	HOLBROOK	NORTH	SKINNER
ASTOR	DALY	HOYT	NOYES	STRACK

BAKER	DAY	HULME	PALMER	SUTHERLAND
BATHE	DEYOE	HURD	PARKER	THAIN
BEARD	DOUGLASS	JONES	PATTENGILL	THOMSON
BERGEN	DUELL	KEATOR	CICERO C. PECK	TOWNSLEY
BERRY	FISH	KEEGAN	DEWITT C. PECK	VALENTINE
BOUCK	FLOYD-JONES	KING	PEEK	WARING
BROOKS	FLYNN	LANGNER	PRESCOTT	WEMPLE
BROWNING	FRANK	LOVELAND	PROPER	WHEELER
BRUNDAGE	GILBERT	MAPES	REYNOLDS	WILBOR
CASE	GRADY	MCDONOUGH	ROBERTS	WILLERS
CHAPPELL	GRAHAM	MEAD	ROWLAND	WILLIAMS
CLANCY	HALLIDAY	MEKEEL	SAWYER	WINCH
CLARK	HAVENS	J. H. MILLER	SEEBACHER	WORTH

For the negative,

CURRAN

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act in relation to devises and bequests to charitable, religious, and other societies and corporations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 70.

NOES 10.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	JONES	NELSON	SHEARD
ALLEN	CRAWFORD	KEATOR	NORTH	SHELDON
ALVORD	CURRAN	KEEGAN	NOYES	SKINNER
ANDREWS	DAY	KELLOGG	PARKER	STORY
ASTOR	DEYOE	KERN	PATTENGILL	TERRY
BAKER	DUELL	KING	CICERO C. PECK	THAIN
BEARD	FISH	LANGNER	PEEK	TOWNSLEY
BERGEN	GRIGGS	LOVELAND	POOL	VALENTINE
BERRY	HALLIDAY	LOWING	PROPER	WADSWORTH
BROWNING	HAMILTON	MATISON	REYNOLDS	WILBOR
CASE	HOBBIE	J. H. MILLER	ROWLAND	WILLIAMS
CLANCY	HOLBROOK	S. V. R. MILLER	SAWYER	WILLIS
CLAPP	HOYT	MOOERS	SEARING	WINCH
CONVERSE	HULME	NEILSON	SHANLEY	WORTH

Those who voted in the negative, were

CHAPPELL	FLYNN	MEKEEL	PRESCOTT	WEMPLE
FLOYD-JONES	HAVENS	DEWITT C. PECK	SUTHERLAND	WILLERS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act affecting certain streets within the improvement district in Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 82.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	DAY	KEEGAN	PARKER	TERRY
ALLEN	DEYOE	KERN	PATTENGILL	THAIN
ALVORD	DUELL	KING	DEWITT C. PECK	THOMSON

ANDREWS	FISH	LANGNER	PEEK	TOWNSLEY
BAKER	FLOYD-JONES	LOVELAND	REYNOLDS	VALENTINE
BEARD	FLYNN	MAPES	SAWYER	WADSWORTH
BERGEN	FOSTER	MATTISON	SEARING	WAKELY
BERRY	GALVIN	MCDONOUGH	SHEARD	WARING
BROWNING	GRIGGS	MEKEEL	SHELDON	WEMPLE
CHAPPELL	HALLIDAY	J. H. MILLER	SKINNER	WHEELER
CHASE	HAMILTON	S. V. R. MILLER	SLITER	WILBOR
CLAPP	HAVENS	MOOERS	STORY	WILLERS
CLARK	I. I. HAYES	NELSON	STRACK	WILLIAMS
CONVERSE	HOLBROOK	NORTH	SUTHERLAND	WILLIS
CORMACK	HURD	NOYES	E. TAYLOR	WINCH
CRANDALL	JONES	PALMER	J. T. TAYLOR	WORTH
CROWLEY	KEATOR			

For the negative,

PRESCOTT

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to authorize the Attorney-General, the Superintendent of Public Works and the Superintendent of State Prisons and State Treasurer to have official seals," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 88.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CURRAN	JONES	PALMER	SKINNER
ALLEN	DAY	KEATOR	PARKER	SLITER
ALVORD	FISH	KEEGAN	PATTENGILL	STRACK
ANDREWS	FLOYD-JONES	KERN	PATTERSON	SUTHERLAND
BEARD	FLYNN	KING	CICERO C. PECK	E. TAYLOR
BERGEN	FOSTER	LANGNER	DEWITT C. PECK	TERRY
BERRY	GILBERT	LOVELAND	POOL	THAIN
BOUCK	GRADY	MAPES	PRESCOTT	THOMSON
BROWNING	GRAHAM	MATTISON	PROPER	TOWNSLEY
BRUNDAGE	GRIGGS	MEKEEL	REYNOLDS	VALENTINE
CHAPPELL	HAMILTON	J. H. MILLER	ROBERTS	WARING
CHASE	HAVENS	S. V. R. MILLER	ROWLAND	WEMPLE
CLAPP	HOBBIE	MOLLER	SAWYER	WHEELER
CLARK	HOLAHAN	MOOERS	SEARING	WILBOR
CONVERSE	HOLBROOK	NEILSON	SHANLEY	WILLIS
CORMACK	HOYT	NELSON	SHEARD	WINCH
COSAD	HULME	NORTH	SHELDON	WORTH
CROWLEY	HURD	NOYES		

Ordered, That the Clerk return said bill to the Senate, with a message, informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOLBROOK	NOYES	SLITER
ALLEN	CURRAN	HOYT	PALMER	STRACK
ALVORD	DAY	HULME	PARKER	SUTHERLAND
ANDREWS	DEYOE	JONES	PATTENGILL	E. TAYLOR
BAKER	DUELL	KEATOR	CICERO C. PECK	TERRY
BATHE	FISH	KEEGAN	DEWITT C. PECK	THAIN
BEARD	FITZGERALD	KING	PIPER	THOMSON
BERGEN	FLOYD-JONES	LANGNER	PRESCOTT	TOWNSLEY
BERRY	FLYNN	LOVELAND	PURDY	WADSWORTH
BROOKS	GILBERT	MAPES	REYNOLDS	WARING
BRUNDAGE	GRADY	MATTISON	ROBERTS	WEMPLE
CHAPPELL	GRAHAM	MEKEEL	ROWLAND	WHEELER
CHASE	GRIGGS	J. H. MILLER	SAWYER	WILBOR
CLAPP	HALLIDAY	MOLLER	SHANLEY	WILLERS
CLARK	HAMILTON	MOOERS	SHEARD	WILLIS
CONVERSE	HOBBIE	NELSON	SHELDON	WINCH
CRAWFORD	HOLAHAN	NORTH	SKINNER	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Gilbert, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

“An act to amend chapter 448 of the Laws of 1876, entitled ‘An act relating to courts, officers of justice, and civil proceedings,’ and acts amendatory thereof.”

“An act to amend chapter 465 of the Laws of 1875, entitled ‘An act to require the payment of certain premiums to the fire department of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York, but doing business therein,’ passed May 28, 1875.”

The Senate bill entitled “An act to amend chapter 720 of the Laws of 1871, entitled ‘An act to establish a department of police in the city of Buffalo, and to provide for the government thereof,’” was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOLBROOK	MEYENBORG	SHELDON
ALLEN	CROWLEY	HOYT	NORTH	SKINNER
ALVORD	CURRAN	HULME	NOYES	SLITER
ANDREWS	DAY	JONES	PARKER	STRACK
BAKER	DEYOE	KEATOR	PATTENGILL	SUTHERLAND
BATHE	DUELL	KEEGAN	CICERO C. PECK	E. TAYLOR
BEARD	FISH	KERN	DEWITT C. PECK	THAIN
BERGEN	FLOYD-JONES	KING	PIPER	TOWNSLEY
BERRY	FLYNN	LANGNER	POOL	VALENTINE
BROOKS	FOSTER	LOVELAND	PRESCOTT	WADSWORTH
BROWNING	GILBERT	LOWING	REYNOLDS	WARING
BRUNDAGE	GRADY	MCDONOUGH	ROBERTS	WEMPLE
CHAPPELL	GRIGGS	MEKEEL	ROWLAND	WILBOR
CHASE	HAMILTON	J. H. MILLER	SAWYER	WILLERS
CLAPP	HAVENS	S. V. R. MILLER	SEEBACHER	WILLIS
CLARK	HOBBIE	MOLLER	SHANLEY	WINCH
CONVERSE	HOLAHAN	MOOERS	SHEARD	WORTH

For the negative,

ASTOR

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Bergen moved to take from the table Assembly bill entitled "An act regulating the rate of compensation to be paid to railroad companies for the transporting of milk."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The bill entitled "An act to amend chapter 418 of the Laws of 1876, entitled 'An act relating to courts, officers of justices, and civil proceedings,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	DAY	HOYT	MEYENBORG	SHEARD
ALVORD	DEYOE	JONES	NEILSON	SHELDON
ANDREWS	DOUGLASS	KEATOR	NELSON	SKINNER
BAKER	FISH	KEEGAN	NORTH	SUTHERLAND
BERGEN	FLOYD-JONES	KELLOGG	NOYES	E. TAYLOR
BERRY	FLYNN	KING	PARKER	TERRY
BROOKS	FOSTER	LANGNER	PATTENGILL	THAIN
BROWNING	GALVIN	LOVELAND	PATTERSON	THOMSON
BRUNDAGE	GILBERT	MAPES	DEWITT C. PECK	TOWNSLEY
CHAPPELL	GRADY	MCDONOUGH	POOL	WADSWORTH
CHASE	GRIGGS	MEAD	PROPER	WARING
CLAPP	HALLIDAY	MEKEEL	REYNOLDS	WEMPLE
CONVERSE	HAMILTON	J. H. MILLER	ROBERTS	WILBOR
CRANDALL	HAVENS	S. V. R. MILLER	ROWLAND	WILLIAMS
CRAWFORD	HOBBIE	MOLLER	SAWYER	WINCH
CROWLEY	HOLBROOK	MOOERS	SEARING	WORTH
CURRAN				

For the negative,

ASTOR

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to prevent the removal of actions to the Circuit Court of the United States by foreign insurance companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 85.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DEYOE	KEATOR	NOYES	SUTHERLAND
ALVORD	FISH	KEEGAN	PALMER	E. TAYLOR
BAKER	FLOYD-JONES	KELLOGG	PATTENGILL	J. T. TAYLOR
BERRIGAN	FLYNN	KING	CICERO C. PECK	THAIN
BERRY	FOSTER	LANGNER	DEWITT C. PECK	THOMSON
BROOKS	GRADY	LOVELAND	PIPER	TOWNSLEY
BROWNING	GRAHAM	LOWING	POOL	WADSWORTH
BRUNDAGE	GRIGGS	MAPES	REYNOLDS	WAKELY
CHAPPELL	HALLIDAY	MATTISON	ROWLAND	WARING
CHASE	HAMILTON	MEAD	SAWYER	WEMPLE
CLANCY	HAVENS	MEKEEL	SEARING	WHEELER

CLAPP	I. I. HAYES	J. H. MILLER	SEWELL	WILBOR
CLARK	HOBBIE	S. V. R. MILLER	SHEARD	WILLERS
CONVERSE	HOLAHAN	MOLLER	SHELDON	WILLIAMS
CORMACK	HOLBROOK	MOOERS	SKINNER	WILLIS
CROWLEY	HOYT	NEILSON	SLITER	WINCH
DAY	JONES	NORTH	STRACK	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the bill entitled "An act to provide for the better protection of property and life in the State of New York from the rapid spread of fires through steam-elevator passages or flues," with a message that they had concurred in the passage of the same, with the following amendments:

Add, at the end of section 1, the words "except as hereinafter provided."

Add, at the end of section 2, the words "except in buildings that are known as fire-proof buildings, and certified to be such by the superintendent of buildings in the city of New York, and chief of the fire departments of the other cities in this State."

Section 5, line 14, strike out the word "thirty days," and insert the words "one year."

Strike out section 8, and change section 8 to section 7.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRAWFORD	HOLBROOK	NELSON	SHELDON
ALVORD	CROWLEY	HOYT	NORTH	SKINNER
ANDREWS	DAY	HURD	NOYES	SLITER
ASTOR	DEYOE	JONES	PALMER	STRACK
BATHE	DOUGLASS	KEEGAN	PAKRER	SUTHERLAND
BERGEN	DUELL	KELLOGG	PATTENGILL	E. TAYLOR
BERRIGAN	FISH	KING	PATTERSON	TERRY
BERRY	FLOYD-JONES	LANGNER	CICERO C. PECK	THAIN
BOUCK	FLYNN	LOVELAND	POOL	TOWNSLEY
BROOKS	GILBERT	MAPES	PRESCOTT	WADSWORTH
BROWNING	GRADY	MCDONOUGH	PROPER	WARING
BRUNDAGE	GRIGGS	MEAD	REYNOLDS	WEMPLE
CHAPPELL	HALLIDAY	MEKEEL	ROBERTS	WILBOR
CHASE	HAVENS	J. H. MILLER	SAWYER	WILLIAMS
CLAPP	I. I. HAYES	S. V. R. MILLER	SEARING	WILLIS
CLARK	HEPBURN	MOOERS	SEEBACHER	WINCH
CONVERSE	HOBBIE	MEYENBORG	SHANLEY	WORTH
CORMACK	HOLAHAN			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendments.

The Senate returned the bill entitled "An act to revise and consolidate the several acts relating to the support and care of State paupers, and to provide for the employment at labor of certain vagrant and idle persons," with a message that they had stricken out the enacting clause.

The Senate bill entitled "An act to further amend chapter 366 of the Laws of 1859, entitled 'An act to establish an insurance department,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 87. NOES 4.

Those who voted in the affirmative, were

ABBOTT	FLOYD-JONES	KING	PATTENGILL	STRACK
ALLEN	FLYNN	LOVELAND	PATTERSON	SUTHERLAND
ALVORD	FOSTER	LOWING	CICERO C. PECK	E. TAYLOR
BERGEN	GILBERT	MAPES	DEWITT C. PECK	J. T. TAYLOR
BERRIGAN	GRADY	MEAD	POOL	TERRY
BERRY	HAMILTON	MEKEEL	PRESCOTT	THAIN
BOUCK	HAVENS	J. H. MILLER	PROPER	THOMSON
BROOKS	I. I. HAYES	S. V. R. MILLER	ROWLAND	VALENTINE
BROWNING	J. HAYES	MOLLER	SAWYER	WADSWORTH
BRUNDAGE	HENRY	MOOERS	SEARING	WAKELY
CHAPPELL	HEPBURN	MEYENBORG	SEEBACHER	WARING
CHASE	HOBBIE	NEILSON	SEWELL	WHEELER
CLARK	HOYT	NELSON	SHANLEY	WILBOR
CONVERSE	HULME	NORTH	SHEARD	WILLIAMS
CORMACK	HURD	NOYES	SHELDON	WILLIS
CROWLEY	JONES	PALMER	SKINNER	WINCH
DUELL	KEATOR	PARKER	STORY	WORTH
FISH	KERN			

Those who voted in the negative, were

ASTOR	CLANCY	HALLIDAY	WILLERS
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to provide for the payment of counsel employed by the Attorney-General in behalf of the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 81. NOES 2.

Those who voted in the affirmative, were

ABBOTT	DAY	HOYT	NORTH	SLITER
ALLEN	DOUGLASS	HULME	NOYES	STORY
ALVORD	DUELL	JONES	PALMER	SUTHERLAND
BAKER	FISH	KEEGAN	PARKER	E. TAYLOR
BATHE	FLOYD-JONES	KELLOGG	PATTENGILL	J. T. TAYLOR
BERRIGAN	FOSTER	KING	PATTERSON	THAIN
BERRY	GALVIN	LANGNER	CICERO C. PECK	THOMSON
BOUCK	GILBERT	LOVELAND	DEWITT C. PECK	VALENTINE
BROWNING	GRADY	MAPES	PRESCOTT	WADSWORTH
BRUNDAGE	GRIGGS	MATTISON	REYNOLDS	WARING
CASE	HAMILTON	MEKEEL	SAWYER	WEMPLE
CHAPPELL	HAVENS	J. H. MILLER	SEARING	WILBOR
CHASE	I. I. HAYES	MOLLER	SEWELL	WILLIAMS
CLAPP	HEPBURN	MOOERS	SHEARD	WILLIS
CONVERSE	HOBBIE	MEYENBORG	SHELDON	WINCH
COSAD	HOLBROOK	NEILSON	SKINNER	WORTH
CURRAN				

Those who voted in the negative, were

ASTOR	ROBERTS
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to set aside the Union Free school in joint school district in the town of Tyrone, in the county of Schuyler, and the town of Wayne, in the county of Steuben," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 76.

NOES 6.

Those who voted in the affirmative, were

ABBOTT	DAY	JONES	NORTH	STRACK
ALVORD	DOUGLASS	KEATOR	NOYES	SUTHERLAND
ASTOR	DUELL	KERN	PALMER	E. TAYLOR
BAKER	FISH	KING	PARKER	TERRY
BEARD	GILBERT	LANGNER	PATTENGILL	THAIN
BERGEN	GRADY	LOVELAND	DEWITT C. PECK	TOWNSLEY
BERRY	GRAHAM	MAPES	POOL	VALENTINE
BOUCK	HALLIDAY	MATTISON	PURDY	WADSWORTH
BROWNING	HAMILTON	MEAD	REYNOLDS	WAKELY
BRUNDAGE	HAVENS	MEKEEL	ROWLAND	WARING
CHAPPELL	I. I. HAYES	J. H. MILLER	SAWYER	WHEELER
CHASE	HOLAHAN	S. V. R. MILLER	SHANLEY	WILLIAMS
CLAPP	HOLBROOK	MOOERS	SHEARD	WILLIS
CONVERSE	HOYT	MEYENBORG	SHELDON	WINCH
CORMACK	HULME	NELSON	SLITER	WORTH
CROWLEY				

Those who voted in the negative, were

FLOYD-JONES	MOLLER	PRESCOTT	ROBERTS	SEARING
HOBBIE				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act supplementary to an act entitled 'An act to amend An act to incorporate the city of Ogdensburgh,' passed April 27, 1868, and the act amending the same, passed May 2, 1873, providing for a depository of the public fund of the said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOYT	NORTH	E. TAYLOR
ALLEN	DALY	HULME	NOYES	TERRY
ALVORD	DAY	JONES	PARKER	THAIN
ANDREWS	DEYOE	KEEGAN	DEWITT C. PECK	THOMSON
BERGEN	DOUGLASS	KELLOGG	PEEK	TOWNSLEY
BERRIGAN	FISH	KERN	PIPER	VALENTINE
BERRY	FLOYD-JONES	KING	PRESCOTT	WADSWORTH
BOUCK	FOSTER	LANGNER	REYNOLDS	WAKELY
BROOKS	GILBERT	LOWING	ROWLAND	WARING
BROWNING	GRIGGS	MEKEEL	SHANLEY	WHEELER
BURNS	HALLIDAY	J. H. MILLER	SHEARD	WILBOR
CHAPPELL	HAMILTON	MOLLER	SHELDON	WILLERS
CHASE	HAVENS	MOOERS	SKINNER	WILLIS
CLAPP	I. I. HAYES	MEYENBORG	STORY	WINCH
CLARK	HOBBIE	NEILSON	SUTHERLAND	WORTH
CONVERSE	HOLAHAN			

For the negative,

ROBERTS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend chapter 763 of the Laws of 1872, entitled 'An act to amend an act entitled An act to amend the charter of the village of Saratoga Springs,' passed March 26, 1866, and the acts amendatory thereof."

"An act respecting the collection of taxes in the city of Buffalo."

"An act to provide for a ferry landing in the Fourteenth ward of the city of Brooklyn."

"An act to amend chapter 116 of the Laws of 1859, entitled 'An act to consolidate and amend the several acts relating to the village of Cazenovia, to alter the bounds and to enlarge the powers of the corporation of said village.'"

"An act to release to Alice Casey the right, title and interest of the people of the State of New York in and to certain real estate in the town of Dryden, county of Tompkins."

"An act to authorize the city of Buffalo to raise money to aid in the construction of a soldiers and sailors' monument."

The Senate bill entitled "An act authorizing the city of Binghamton to use portion of the Chenango canal for a public street," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 80.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HEPBURN	NORTH	STORY
ALLEN	DALY	HOBBIE	NOYES	SUTHERLAND
ALVORD	DAY	HOLBROOK	PALMER	E. TAYLOR
ANDREWS	DEYOE	HOYT	PARKER	TERRY
BEARD	DOUGLASS	HULME	DEWITT C. PECK	THAIN
BERGEN	DUELL	HURD	PEEK	THOMSON
BERRY	FISH	JONES	POOL	TOWNSLEY
BOUCK	FLOYD-JONES	KERN	PRESCOTT	VALENTINE
BROOKS	FLYNN	KING	REYNOLDS	WADSWORTH
BROWNING	FOSTER	LANGNER	ROBERTS	WAKELY
BRUNDAGE	GALVIN	LOVELAND	ROWLAND	WARING
CASE	GILBERT	MATTISON	SAWYER	WEMPLE
CHAPPELL	GRADY	MEAD	SEARING	WHEELER
CHASE	GRAHAM	MEKEEL	SHANLEY	WILBOR
CLAPP	GRIGGS	J. H. MILLER	SHEARD	WILLIS
CLARK	HAMILTON	S. V. R. MILLER	SHELDON	WINCH
CONVERSE	HAVENS	MOLLER	SKINNER	WORTH
CORMACK	I. I. HAYES	MEYENBORG	SLITER	

For the negative,

WILLIAMS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HEPBURN	NEILSON	SKINNER
ALLEN	CONVERSE	HOBBIE	NELSON	STORY
ALVORD	CORMACK	HOLBROOK	NORTH	SUTHERLAND
ANDREWS	DALY	HOYT	PALMER	E. TAYLOR
BAKER	DAY	HULME	PARKER	TERRY
BERGEN	DOUGLASS	JONES	DEWITT C. PECK	THAIN
BERRIGAN	DUELL	KERN	PEEK	THOMSON
BERRY	FISH	KING	PIPER	VALENTINE
BOUCK	FITZGERALD	LANGNER	POOL	WADSWORTH
BROOKS	FLOYD-JONES	LOVELAND	PRESCOTT	WARING
BROWNING	FLYNN	MATTISON	ROBERTS	WEMPLE
BRUNDAGE	FOSTER	MCDONOUGH	ROWLAND	WILBOR
BURNS	GALVIN	J. H. MILLER	SAWYER	WILLIAMS
CHAPPELL	GILBERT	S. V. R. MILLER	SEEBACHER	WILLIS
CHASE	GRAHAM	MOLLER	SHEARD	WINCH
CLAPP	I. I. HAYES	MOOERS	SHELDON	WORTH

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to amend chapter 763 of the Laws of 1872, entitled 'An act to amend an act entitled An act to amend the charter of the village of Saratoga Springs,' passed March 26, 1866, and the acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 83.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	COSAD	HOBBIE	NELSON	SKINNER
ALLEN	CRANDALL	HOYT	NORTH	SUTHERLAND
ANDREWS	DALY	HULME	NOYES	E. TAYLOR
BAKER	DAY	JONES	PALMER	TERRY
BERGEN	DEYOE	KEATOR	PARKER	THAIN
BERRIGAN	DOUGLASS	KEEGAN	CICERO C. PECK	THOMSON
BERRY	DUELL	KERN	DEWITT C. PECK	VALENTINE
BOUCK	FISH	KING	PEEK	WADSWORTH
BROOKS	FLOYD-JONES	LANGNER	PRESCOTT	WARING
BROWNING	FOSTER	MATTISON	REYNOLDS	WEMPLE
BRUNDAGE	GALVIN	MEKEEL	ROBERTS	WILBOR
CASE	GILBERT	J. H. MILLER	ROWLAND	WILLERS
CHAPPELL	GRAHAM	S. V. R. MILLER	SAWYER	WILLIAMS
CHASE	GRIGGS	MOLLER	SEARING	WILLIS
CLARK	I. I. HAYES	MOOERS	SHEARD	WINCH
CONVERSE	HENRY	MEYENBORG	SHELDON	WORTH
CORMACK	HEPBURN	NEILSON		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act making an appropriation to pay an award of the Canal Appraisers in favor of Peter Voorhees, as modified by the Court of Appeals," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CORMACK	HAMILTON	MEYENBORG	SHELDON
ALVORD	CRANDALL	HOBBIE	NEILSON	SKINNER
ANDREWS	DALY	HOYT	NELSON	SUTHERLAND
BAKER	DAY	HULME	NORTH	E. TAYLOR
BEARD	DEYOE	JONES	NOYES	THAIN
BERGEN	DOUGLASS	KEEGAN	PALMER	THOMSON
BERRY	FISH	KELLOGG	PARKER	VALENTINE
BOUCK	FITZGERALD	KERN	CICERO C. PECK	WADSWORTH
BROOKS	FLOYD-JONES	KING	DEWITT C. PECK	WARING
BRUNDAGE	FOSTER	LANGNER	PIPER	WEMPLE
CASE	FRANK	MEAD	PRESCOTT	WHEELER
CHAPPELL	GALVIN	MEKEEL	ROBERTS	WILLIAMS
CHASE	GILBERT	J. H. MILLER	ROWLAND	WILLIS
CLAPP	GRAHAM	S. V. R. MILLER	SAWYER	WINCH
CLARK	GRIGGS	MOLLER	SEARING	WORTH
CONVERSE	HALLIDAY	MOOERS	SHEARD	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act respecting the collection of taxes in the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HAMILTON	MOOERS	SKINNER
ALVORD	CORMACK	HOBBIE	NELSON	SUTHERLAND
ANDREWS	CRANDALL	HOLBROOK	NORTH	E. TAYLOR
ASTOR	CROWLEY	HOYT	PALMER	THAIN
BEARD	DALY	HULME	PARKER	THOMSON
BERGEN	DAY	JONES	DEWITT C. PECK	TOWNSLEY
BERRIGAN	DEYOE	KEEGAN	PECK	VALENTINE
BERRY	DOUGLASS	KERN	PIPER	WADSWORTH
BOUCK	DUELL	KING	PRESCOTT	WARING
BROWNING	FISH	LANGNER	REYNOLDS	WEMPLE
BRUNDAGE	FLOYD-JONES	LOVELAND	ROBERTS	WILBOR
BURNS	FOSTER	MATTISON	ROWLAND	WILLERS
CASE	GALVIN	MCDONOUGH	SEARING	WILLIAMS
CHAPPELL	GILBERT	MEKEEL	SEEBACHER	WILLIS
CHASE	GRAHAM	J. H. MILLER	SHEARD	WINCH
CLAPP	GRIGGS	MOLLER	SHELDON	WORTH
CLARK				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 116 of the Laws of 1859, entitled 'An act to consolidate and amend the several acts relating to the village of Cazenovia, to alter the bounds and to enlarge the powers of the corporation of said village,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HULME	CICERO C. PECK	SKINNER
ALLEN	DEYOE	JONES	DEWITT C. PECK	STRACK
ALVORD	DOUGLASS	KEATOR	PEEK	SUTHERLAND
ANDREWS	DUELL	KELLOGG	PIPER	E. TAYLOR
BEARD	FLOYD-JONES	KERN	POOL	TERRY
BERGEN	FLYNN	KING	PRESCOTT	THAIN
BERRIGAN	FOSTER	MEAD	PROPER	TOWNSLEY
BERRY	GALVIN	MEKEEL	REYNOLDS	VALENTINE
BOUCK	GILBERT	J. H. MILLER	ROBERTS	WADSWORTH
BROWNING	GRAHAM	MOLLER	ROWLAND	WARING
BRUNDAGE	GRIGGS	MOOERS	SAWYER	WILLERS
CASE	HAMILTON	NEILSON	SEARING	WILLIAMS
CHAPPELL	I. I. HAYES	NORTH	SEWELL	WILLIS
CLAPP	HOBBIE	NOYES	SHEARD	WINCH
CORMACK	HOLBROOK	PALMER	SHELDON	WORTH
CRANDALL	HOYT	PARKER		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release to Alice Casey the right, title and interest of the people of the State of New York in and to certain real estate in the town of Dryden, county of Tompkins," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 94.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOYT	PALMER	SUTHERLAND
ALLEN	CROWLEY	HULME	PARKER	E. TAYLOR
ALVORD	DALY	HURD	PATTERSON	J. T. TAYLOR
ANDREWS	DAY	JONES	CICERO C. PECK	TERRY
ASTOR	DEYOE	KELLOGG	PEEK	THAIN
BERGEN	DOUGLASS	KERN	PIPER	THOMSON
BERRIGAN	DUELL	KING	POOL	TOWNSLEY
BERRY	FISH	LOVELAND	PRESCOTT	VALENTINE
BOUCK	FLYNN	LOWING	REYNOLDS	WADSWORTH
BROOKS	FOSTER	MCDONOUGH	ROBERTS	WAKELY
BROWNING	FRANK	MEKEEL	ROWLAND	WARING
BRUNDAGE	GRADY	J. H. MILLER	SAWYER	WEMPLE
CASE	GRAHAM	S. V. R. MILLER	SEARING	WILBOR
CHAPPELL	GRIGGS	MOLLER	SEEBACHER	WILLERS
CHASE	HALLIDAY	MOOERS	SHEARD	WILLIAMS
CLAPP	HAYENS	NEILSON	SHELDON	WILLIS
CLARK	I. I. HAYES	NELSON	SKINNER	WINCH
CONVERSE	HOBBIE	NORTH	SLITER	WORTH
CORMACK	HOLBROOK	NOYES	STORY	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Gilbert, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. J. F. Pierce, Int. No. 174, entitled "An

act supplemental to chapter 306 of the Laws of 1862, entitled 'An act to prevent and punish fraud in the use of stamps, brands, labels or trade-marks,' " reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Gilbert, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CLARK	HEPBURN	NOYES	SHELDON
ALLEN	CONVERSE	HOBBIE	PALMER	SKINNER
ALVORD	CORMACK	HOYT	PARKER	SUTHERLAND
ANDREWS	CRANDALL	HULME	DEWITT C. PECK	E. TAYLOR
ASTOR	CROWLEY	JONES	PEEK	THAIN
BEARD	DAY	KERN	PIPER	TOWNSLEY
BERGEN	DEYOE	KING	POOL	VALENTINE
BERRY	DOUGLASS	LOVELAND	PRESCOTT	WADSWORTH
BOUCK	DUELL	LOWING	REYNOLDS	WAKELY
BROOKS	FISH	MCDONOUGH	ROBERTS	WEMPLE
BROWNING	FLOYD-JONES	J. H. MILLER	ROWLAND	WILBOR
BRUNDAGE	FOSTER	MOLLER	SAWYER	WILLIAMS
CASE	GILBERT	MOOERS	SEARING	WILLIS
CHAPPELL	GRAHAM	MEYENBORG	SEWELL	WINCH
CHASE	GRIGGS	NORTH	SHANLEY	WORTH
CLAPP	HALLIDAY			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The bill entitled "An act to authorize the city of Buffalo to raise money to aid in the construction of a soldiers' and sailors' monument," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 83. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HOYT	NORTH	SKINNER
ALLEN	CROWLEY	HULME	NOYES	SUTHERLAND
ALVORD	DAY	JONES	PARKER	E. TAYLOR
ANDREWS	DEYOE	KELLOGG	CICERO C. PECK	TERRY
ASTOR	DUELL	KERN	DEWITT C. PECK	THAIN
BERGEN	FISH	KING	PIPER	THOMSON
BERRIGAN	FLOYD-JONES	LANGNER	POOL	TOWNSLEY
BERRY	FLYNN	LOVELAND	PRESCOTT	VALENTINE
BOUCK	FOSTER	MATTISON	ROBERTS	WADSWORTH
BROWNING	FRANK	MEKEEL	ROWLAND	WAKELY
BRUNDAGE	GALVIN	J. H. MILLER	SAWYER	WEMPLE
BURNS	GILBERT	S. V. R. MILLER	SEARING	WILBOR
CHAPPELL	GRAHAM	MOLLER	SEEBACHER	WILLIAMS
CHASE	GRIGGS	MOOERS	SEWELL	WILLIS
CLAPP	HALLIDAY	MEYENBORG	SHEARD	WINCH
CLARK	HAMILTON	NELSON	SHELDON	WORTH
CONVERSE	HOBBIE	NELSON		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to extend the time for the sale of the Genesee Valley canal as provided in chapter 404 of the Laws of 1877, entitled 'An act to provide for the disposition and sale of certain lateral canals of this State, and the lands, rights, and other property connected therewith,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 75. NOES 19.

Those who voted in the affirmative, were

ABBOTT	CHAPPELL	GRAHAM	S. V. R. MILLER	SHEARD
ALLEN	CHASE	HAMILTON	MOLLER	SHELDON
ALVORD	CLAPP	HAVENS	MOOERS	SKINNER
ANDREWS	CLARK	HOBBIE	MEYENBORG	SUTHERLAND
ASTOR	CONVERSE	HOYT	NORTH	E. TAYLOR
BAKER	CRAWFORD	HULME	PALMER	THAIN
BATHE	DAY	JONES	PARKER	THOMSON
BEARD	DOUGLASS	KEEGAN	PATTERSON	WADSWORTH
BERGEN	DUELL	KELLOGG	PIPER	WAKELY
BERRIGAN	FISH	KERN	POOL	WEMPLE
BERRY	FLYNN	KING	PURDY	WHEELER
BOUCK	FOSTER	LANGNER	ROBERTS	WILBOR
BRUNDAGE	GALVIN	LOVELAND	SAWYER	WILLIAMS
BURNS	GILBERT	MAPES	SEARING	WILLIS
CASE	GRADY	J. H. MILLER	SHANLEY	WINCH

Those who voted in the negative, were

BROOKS	HALLIDAY	LOWING	DEWITT C. PECK	VALENTINE
CORMACK	HEPBURN	MATTISON	PRESCOTT	WARING
FLOYD-JONES	HOLAHAN	NEILSON	REYNOLDS	WILLERS
GRIGGS	KEATOR	CICERO C. PECK	TOWNSLEY	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Prescott, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Payne, Int. No. 275, entitled "An act to amend chapter 907 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same so as to permit municipal corporations to aid in the construction of railroads,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Loveland, and by unanimous consent, said bill was ordered to a third reading.

The Senate bill entitled "An act to amend chapter 449 of the Laws of 1876, entitled 'An act explaining, defining, and regulating the effect and application of, and otherwise relating to, the act passed at this session of the Legislature, entitled An act relating to courts, officers of justice, and civil proceedings,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 5.

Those who voted in the affirmative, were

ABBOTT	CLARK	HAMILTON	MEYENBORG	SKINNER
ALLEN	CONVERSE	HENRY	NEILSON	SLITER
ALVORD	CRANDALL	HEPBURN	NELSON	SUTHERLAND
ANDREWS	CROWLEY	HOBBIE	NORTH	E. TAYLOR
BATHE	CURRAN	HOLBROOK	PALMER	TERRY
BEARD	DAY	HOYT	PARKER	THAIN
BERGEN	DOUGLASS	JONES	PATTENGILL	THOMSON
BERRIGAN	DUELL	KEEGAN	DEWITT C. PECK	VALENTINE
BERRY	FISH	KERN	PIPER	WADSWORTH
BROOKS	FLOYD-JONES	KING	POOL	WARING
BRUNDAGE	FLYNN	LOVELAND	SAWYER	WEMPLE
BURNS	FOSTER	LOWING	SEARING	WILBOR
CASE	GILBERT	MEKEEL	SEEBACHER	WILLIS
CHASE	GRADY	J. H. MILLER	SHEARD	WINCH
CLANCY	GRAHAM	S. V. R. MILLER	SHELDON	WORTH
CLAPP	GRIGGS	MOOERS		

Those who voted in the negative, were

COSAD	DALY	HAVENS	MATTISON	PRESCOTT
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Alvord called from the table a concurrent resolution in the words following :

Resolved (if the Senate concur), That there be appointed a committee of three from the Senate and three from the Assembly, of which committee the temporary President of the Senate and the Speaker of the Assembly shall each be one, to act, without compensation, as an advisory committee, only, to the Board of Commissioners of the New Capitol in the selection of the style and kind of furniture, and in the arrangement of the same, for both the Senate and Assembly chambers in the New Capitol.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Speaker appointed as such committee to act with him Messrs. Alvord and Halliday.

The Senate bill entitled "An act concerning the limits and jurisdiction of the State of New York and the State of Connecticut," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 78.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	FISH	LANGNER	PEEK	SUTHERLAND
ALLEN	FLOYD-JONES	LOVELAND	PIPER	E. TAYLOR
ALVORD	FLYNN	MATTISON	PRESCOTT	J. T. TAYLOR
ANDREWS	GALVIN	MEKEEL	PROPER	TERRY
BAKER	GRAHAM	J. H. MILLER	ROBERTS	THAIN
BERGEN	GRIGGS	S. V. R. MILLER	ROWLAND	THOMSON
BERRIGAN	HAMILTON	MOOERS	SAWYER	TOWNSLEY
BERRY	HAVENS	MEYENBORG	SEARING	VALENTINE
BOUCK	HENRY	NEILSON	SEEBACHER	WADSWORTH

BROOKS	HOBBIE	NELSON	SHANLEY	WARING
BRUNDAGE	HOYT	NORTH	SHEARD	WILBOR
CHAPPELL	HULME	NOYES	SHELDON	WILLIAMS
CHASE	HURD	PALMER	SKINNER	WILLIS
CLAPP	JONES	PARKER	SLITER	WINCH
CLARK	KERN	PATTERSON	STRACK	WORTH
CRANDALL	KING	DeWITT C. PECK		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 282 of the Laws of 1852, entitled 'An act defining the exemptions from taxation on public buildings in the city of New York,' and to extend the provisions thereof to the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77.

NOES 00.

Those who voted in the affirmative, were

ALLEN	CRANDALL	JONES	PATTERSON	STORY
ALVORD	CRAWFORD	KELLOGG	DeWITT C. PECK	SUTHERLAND
ANDREWS	DAY	KERN	PEEK	E. TAYLOR
BAKER	DEYOE	KING	PIPER	TERRY
BATHE	FISH	LANGNER	POOL	THAIN
BERGEN	FLOYD-JONES	MCDONOUGH	PRESCOTT	THOMSON
BERRIGAN	FLYNN	MEKEEL	ROWLAND	VALENTINE
BERRY	GRADY	J. H. MILLER	SAWYER	WADSWORTH
BOUCK	GRIGGS	S. V. R. MILLER	SEARING	WARING
BROWNING	HAMILTON	MOOERS	SEEBACHER	WILBOR
BRUNDAGE	HAVENS	MEYENBORG	SEWELL	WILLERS
BURNS	HOBBIE	NELSON	SHEARD	WILLIAMS
CASE	HOLBROOK	NORTH	SHELDON	WILLIS
CHAPPELL	HOYT	NOYES	SKINNER	WINCH
CLAPP	HULME	PALMER	SLITER	WORTH
CONVERSE	HURD			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' and the various acts amendatory thereof, or relating to the city of Rochester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HAVENS	NORTH	SUTHERLAND
ALLEN	DALY	HENRY	PATTENGILL	E. TAYLOR
BAKER	DAY	HOBBIE	DeWITT C. PECK	TERRY
BATHE	DEYOE	HULME	PEEK	THAIN
BERRIGAN	DOUGLASS	HURD	PIPER	THOMSON
BERRY	DUELL	JONES	PRESCOTT	TOWNSLEY

BOUCK	FISH	KEATOR	PURDY	VALENTINE
BROOKS	FITZGERALD	KERN	SAWYER	WADSWORTH
BROWNING	FLOYD-JONES	KING	SEARING	WAKELY
BRUNDAGE	FOSTER	LOVELAND	SEEBACHER	WARING
BURNS	FRANK	MAPES	SEWELL	WILBOR
CHAPPELL	GILBERT	MEKEEL	SHEARD	WILLERS
CHASE	GRAHAM	J. H. MILLER	SHELDON	WILLIAMS
CLAPP	GRIGGS	S. V. R. MILLER	SKINNER	WILLIS
CLARK	HALLIDAY	MOOERS	SLITER	WINCH
CONVERSE	HAMILTON	NEILSON	STRACK	WORTH
CRANDALL				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Sewell, from the committee on engrossed bills, reported as correctly engrossed the following entitled bill :

“An act to incorporate the Mount Pleasant Water-works Company.”

The bill entitled “An act to incorporate the Mount Pleasant Water-works Company,” was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DAY	HOLBROOK	NORTH	SUTHERLAND
ALLEN	DEYOE	HOYT	NOYES	E. TAYLOR
ALVORD	DOUGLASS	HURD	PALMER	TERRY
ANDREWS	DUELL	JONES	PARKER	THAIN
BAKER	FISH	KEEGAN	PATTENGILL	THOMSON
BATHE	FITZGERALD	KELLOGG	CICERO C. PECK	TOWNSLEY
BERGEN	FLOYD-JONES	KING	DEWITT C. PECK	VALENTINE
BERRY	GALVIN	LANGNER	PIPER	WADSWORTH
BOUCK	GILBERT	LOVELAND	PRESCOTT	WAKELY
BROOKS	GRADY	LOWING	REYNOLDS	WARING
BROWNING	GRAHAM	MEKEEL	ROBERTS	WHEELER
BRUNDAGE	HALLIDAY	J. H. MILLER	SAWYER	WILBOR
CHAPPELL	HAMILTON	S. V. R. MILLER	SEWELL	WILLIAMS
CLAPP	HAVENS	MOLLER	SHEARD	WILLIS
CONVERSE	I. I. HAYES	MOOERS	SHELDON	WINCH
CORMACK	HEPBURN	NEILSON	SKINNER	WORTH
CRAWFORD	HOBBIE	NELSON	STORY	SPEAKER
CROWLEY				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented a report of the committee appointed by the Legislature of 1877 to investigate the financial relations of the Oneida and Stockbridge Indians with this State ; which was laid upon the table and ordered printed.

The Senate bill entitled “An act in relation to the Colored Home in the city of New York,” was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 81. NOES 00.

Those who voted in the affirmative, were

ABBOTT	DAY	HOYT	NELSON	SKINNER
ALLEN	DEYOE	JONES	PALMER	SUTHERLAND
ALVORD	DOUGLASS	KEATOR	PARKER	E. TAYLOR
ANDREWS	DUELL	KELLOGG	PATTERSON	THAIN
ASTOR	FISH	KING	CICERO C. PECK	THOMSON
BAKER	FLOYD-JONES	LANGNER	DEWITT C. PECK	TOWNSLEY
BEARD	FOSTER	LOVELAND	POOL	VALENTINE
BERRIGAN	GILBERT	MAPES	PRESCOTT	WADSWORTH
BERRY	GRADY	MATTISON	PROPER	WAKELY
BOUCK	GRAHAM	MEAD	REYNOLDS	WARING
BROWNING	HAMILTON	MEKEEL	ROBERTS	WHEELER
CHAPPELL	HAVENS	S. V. R. MILLER	SAWYER	WILBOR
CLARK	I. I. HAYES	MOLLER	SEWELL	WILLERS
CONVERSE	HOBBIE	MOOERS	SHANLEY	WILLIS
COSAD	HOLAHAN	MEYENBORG	SHEARD	WINCH
CROWLEY	HOLBROOK	NEILSON	SHELDON	WORTH
CURRAN				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to legalize the acts of surrogates and officers acting as such, in granting letters of administration, and to provide for the issuing of such letters in certain cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 87. NOES 00.

Those who voted in the affirmative, were

ABBOTT	DOUGLASS	HURD	NOYES	SKINNER
ALLEN	DUELL	JONES	PALMER	SUTHERLAND
ALVORD	FISH	KEEGAN	PARKER	E. TAYLOR
ANDREWS	FLOYD-JONES	KERN	PATTENGILL	TERRY
BAKER	FLYNN	KING	PATTERSON	THAIN
BEARD	FOSTER	LANGNER	DEWITT C. PECK	THOMSON
BERGEN	GALVIN	LOVELAND	PRESCOTT	VALENTINE
BERRY	GILBERT	MAPES	PROPER	WADSWORTH
BROWNING	GRADY	MCDONOUGH	REYNOLDS	WAKELY
BRUNDAGE	GRAHAM	MEKEEL	ROBERTS	WARING
CASE	GRIGGS	J. H. MILLER	ROWLAND	WHEELER
CHAPPELL	HAMILTON	S. V. R. MILLER	SAWYER	WILBOR
CLAPP	I. I. HAYES	MOLLER	SEARING	WILLERS
CONVERSE	HEPBURN	MOOERS	SEEBACHER	WILLIAMS
CRANDALL	HOBBIE	MEYENBORG	SHANLEY	WILLIS
CROWLEY	HOLBROOK	NELSON	SHEARD	WINCH
DAY	HOYT	NORTH	SHELDON	WORTH
DEYOE	HULME			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act for the preservation of the public peace, the protection of private property, and the maintenance of law and good order in the town of Flatbush, in Kings county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	DAY	HURD	NELSON	SKINNER
ALLEN	DEYOE	JONES	NORTH	SLITER
ALVORD	DOUGLASS	KEATOR	NOYES	SUTHERLAND
ANDREWS	DUELL	KEEGAN	PALMER	E. TAYLOR
BAKER	FISH	KERN	PARKER	J. T. TAYLOR
BEARD	FLOYD-JONES	KING	PATTENGILL	THAIN
BERGEN	FLYNN	LANGNER	DEWITT C. PECK	THOMSON
BERRY	FOSTER	LOVELAND	POOL	TOWNSLEY
BROWNING	GILBERT	LOWING	PRESCOTT	VALENTINE
BRUNDAGE	GRAHAM	MATTISON	PROPER	WADSWORTH
CASE	HAMILTON	MEKEEL	REYNOLDS	WAKELY
CHAPPELL	HAVENS	J. H. MILLER	ROWLAND	WARING
CHASE	I. I. HAYES	S. V. R. MILLER	SAWYER	WILBOR
CLARK	HEPBURN	MOLLER	SEEBACHER	WILLERS
CONVERSE	HOLBROOK	MOOERS	SEWELL	WILLIS
CORMACK	HOYT	MEYENBORG	SHEARD	WINCH
CRANDALL	HULME	NEILSON	SHELDON	WORTH
CRAWFORD				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act in relation to the city government of Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOYT	NORTH	SKINNER
ALLEN	DAY	HULME	NOYES	SLITER
ALVORD	DOUGLASS	HURD	PALMER	STRACK
ANDREWS	DUELL	JONES	PARKER	SUTHERLAND
ASTOR	FISH	KELLOGG	PATTENGILL	E. TAYLOR
BAKER	FLOYD-JONES	KERN	CICERO C. PECK	J. T. TAYLOR
BATHE	FOSTER	KING	DEWITT C. PECK	THAIN
BEARD	GALVIN	LANGNER	POOL	THOMSON
BERRY	GILBERT	LOVELAND	PRESCOTT	TOWNSLEY
BOUCK	GRADY	MAPES	REYNOLDS	WADSWORTH
BRUNDAGE	GRAHAM	MEAD	ROBERTS	WAKELY
CASE	HAMILTON	MEKEEL	ROWLAND	WARING
CHASE	HAVENS	J. H. MILLER	SAWYER	WHEELER
CLANCY	I. I. HAYES	S. V. R. MILLER	SEEBACHER	WILLERS
CLAPP	HEPBURN	MOLLER	SHANLEY	WILLIS
CLARK	HOBBIE	MEYENBORG	SHEARD	WINCH
CORMACK	HOLBROOK	NEILSON	SHELDON	WORTH
COSAD				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to incorporate the Brooklyn Church Society of the Methodist Episcopal Church," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 87.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOLBROOK	NEILSON	SKINNER
ALLEN	DAY	HOYT	NELSON	STORY
ALVORD	DEYOE	HURD	NORTH	SUTHERLAND
ANDREWS	DOUGLASS	JONES	PALMER	E. TAYLOR
ASTOR	DUELL	KEEGAN	PARKER	TERRY
BATHE	FISH	KERN	PATTENGILL	THAIN
BERGEN	FLOYD-JONES	KING	DEWITT C. PECK	THOMSON
BERRIGAN	FRANK	LANGNER	POOL	VALENTINE
BERRY	GALVIN	LOVELAND	PRESCOTT	WADSWORTH
BOUCK	GILBERT	MAPES	PROPER	WAKELY
BROWNING	GRADY	MATTISON	REYNOLDS	WARING
BRUNDAGE	GRAHAM	MCDONOUGH	ROBERTS	WHEELER
BURNS	HALLIDAY	MEKEEL	SAWYER	WILBOR
CHAPPELL	HAVENS	J. H. MILLER	SEARING	WILLERS
CLAPP	I. I. HAYES	S. V. R. MILLER	SEWELL	WILLIS
CLARK	J. HAYES	MOLLER	SHEARD	WINCH
CONVERSE	HEPBURN	MOOERS	SHELDON	WORTH
CORMACK	HOBBIE			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend section 69 of article 8, title 8, chapter 20, part 1 of the Revised Statutes, and section 7 of title 1, chapter 3, part 3 of the Revised Statutes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, as follows:

AYES 47.

NOES 22.

Those who voted in the affirmative, were

ABBOTT	CROWLEY	HOYT	MEYENBORG	SAWYER
ALLEN	DAY	HULME	NELSON	SEWELL
ALVORD	DUELL	HURD	NORTH	SHEARD
BAKER	FISH	KERN	NOYES	SKINNER
BATHE	FLOYD-JONES	KING	PARKER	SLITER
BERGEN	GRADY	MCDONOUGH	PATTENGILL	TERRY
CASE	HALLIDAY	MEAD	PATTERSON	THAIN
CHAPPELL	HAMILTON	MEKEEL	POOL	THOMSON
CLAPP	HAVENS	S. V. R. MILLER	PRESCOTT	WADSWORTH
CONVERSE	HOLAHAN			

Those who voted in the negative, were

BEARD	FOSTER	J. H. MILLER	PROPER	SUTHERLAND
BERRY	KEATOR	MOLLER	REYNOLDS	VALENTINE
BROWNING	LANGNER	DEWITT C. PECK	ROBERTS	WARING
CORMACK	LOWING	PEEK	SHELDON	WILLERS
COSAD	MAPES			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have non-concurred in the passage of the same.

Mr. Fish, from the committee on conference, to which was referred the Senate bill entitled "An act to create a police pension fund for disabled and retired policemen in the city of New York," submitted the following report:

The committee of conference appointed by the Senate and Assembly, to which was referred the matter in difference between the two Houses upon the Senate bill entitled "An act to create a police pension fund for

disabled and retired policemen in the city of New York," having met and duly considered the same, have agreed to recommend that the Senate do concur in all the amendments to the bill as proposed and adopted in the Assembly, as the same are modified in conference as follows, namely :

Section 3, subdivision 4, line 3, strike out the word "of," after the word "sale," and insert the word "by."

Same section, subdivision 5, line 1, strike out the word "two," and insert the word "three."

Same section, subdivision 5, lines 2 and 3, strike out the words "by the comptroller of the city of New York," and insert the words "by the treasurer of the board of police commissioners."

Same section, strike out the whole of subdivision 6.

Section 5, in line 2, after the word "upwards," insert the words "upon his own application, or upon the certificate of the board of surgeons of the department of police, certifying that such policeman is permanently disabled so as to be unfit for police duty."

Section 4, insert subdivisions 4 and 5 as they are in the original bill. All of which is respectfully submitted.

THEO. M. POMEROY,
L. S. GOEBEL,
THOS. C. E. ECCLESINE,
Senate Committee.

HAMILTON FISH, JR.,
M. F. HOLAHAN,
J. SEEBACHER,
I. I. HAYES,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 92.

NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	HURD	NOYES	SKINNER
ALVORD	CROWLEY	JONES	PALMER	SLITER
ASTOR	DALY	KEEGAN	PARKER	SUTHERLAND
BAKER	DOUGLASS	KERN	PATTERSON	E. TAYLOR
BATHE	DUELL	KING	CICERO C. PECK	J. T. TAYLOR
BEARD	FISH	LANGNER	DEWITT C. PECK	TERRY
BERGEN	FLOYD-JONES	LOVELAND	PEEK	THAIN
BERRIGAN	FOSTER	MAPES	PIPER	THOMSON
BOUCK	FRANK	MCDONOUGH	POOL	TOWNSLEY
BROOKS	GALVIN	MEKEEL	PRESCOTT	VALENTINE
BROWNING	GRADY	J. H. MILLER	PURDY	WADSWORTH
BRUNDAGE	GRAHAM	S. V. R. MILLER	REYNOLDS	WARING
BURNS	HALLIDAY	MOLLER	ROBERTS	WEMPLE
CASE	HAMILTON	MOOERS	ROWLAND	WHEELER
CHAPPELL	HAVENS	MEYENBORG	SAWYER	WILBOR
CHASE	I. I. HAYES	NEILSON	SEARING	WILLIAMS
CLAPP	HOBBIE	NELSON	SHEARD	WILLIS
CONVERSE	HOYT	NORTH	SHELDON	WINCH
CORMACK	HULME			

Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have agreed to the report of the committee of conference.

By unanimous consent,

Mr. Burns offered, for the consideration of the House, a resolution in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 203, entitled 'An act to amend chapter 129 of the Laws of 1872, entitled An act to amend an act, passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy,' passed April 12, 1816,' and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy," and that the same do now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 76.

NOES 4.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	J. HAYES	MEKEEL	SEARING
ALVORD	CORMACK	HOBBIE	J. H. MILLER	SHANLEY
ANDREWS	CRANDALL	HOLBROOK	S. V. R. MILLER	SHEARD
ASTOR	DAY	HOYT	MOLLER	SHELDON
BAKER	DUELL	HULME	NELSON	SKINNER
BATHE	FISH	HURD	NORTH	SUTHERLAND
BERGEN	FITZGERALD	JONES	PALMER	TERRY
BERRIGAN	FLOYD-JONES	KEEGAN	PARKER	THAIN
BOUCK	FOSTER	KERN	CICERO C. PECK	THOMSON
BROOKS	GILBERT	KING	PEEK	TOWNSLEY
BRUNDAGE	GRADY	LANGNER	PIPER	VALENTINE
BURNS	GRAHAM	LOVELAND	REYNOLDS	WADSWORTH
CASE	GRIGGS	MAPES	ROBERTS	WAKELY
CHAPPELL	HAMILTON	MATTISON	ROWLAND	WARING
CLAPP	I. I. HAYES	MCDONOUGH	SAWYER	WILBOR
CLARK				

Those who voted in the negative, were

COSAD	CURRAN	DEWITT C. PECK	WILLERS
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Terry called from the table the report of the committee on privileges and elections in the words following :

To the Honorable the Assembly :

On the seventeenth day of April, the House adopted the following preamble and resolution :

" *Whereas*, It having been stated by the member from Jefferson, the Hon. Charles R. Skinner, and substantially indorsed by the member from Franklin, the Hon. John I. Gilbert, that members of this House have received money, or its equivalent, for their votes on the Holahan Excise bill now before the House ; be it, therefore,

" *Resolved*, That the committee on privileges and elections be required to investigate the charge, and report the facts to the House ; and whether any money has been raised by brewers, or liquor dealers, or associations composed of them, to affect legislation this winter ; and whether the temperance societies of the State have furnished any money to influence legislation at this session."

The committee on privileges and elections respectfully report that, in pursuance of such resolution, they held meetings and took testimony in the Assembly chamber on the twenty-fifth and thirtieth days of April; that the testimony has been printed, and is now on the files of the House; that the following facts have been established by the evidence taken in the investigation, in the judgment of the committee:

Money was offered to one member of the Assembly for his vote in favor of the Holahan Excise bill. The offer was not accepted. It was made after the first vote upon the bill, when it failed to receive sixty-five votes, and before the final passage of the same. The evidence upon this point is on the fifty-third page of the printed proceedings.

An employe of the Senate was authorized to offer another member of the House the sum of \$1,000 for his vote in favor of the Holahan Excise bill, and was to have \$140 for his services in procuring the vote, and he understood a percentage on the amount paid the member. He did not, however, approach the member on the subject, and the member had no knowledge or information that any attempt was being made to obtain his vote in favor of the bill until after it passed the Assembly, and he voted against it upon each occasion when it was before the House. The evidence upon this point will be found upon the twenty-ninth page of the printed proceedings.

It clearly appears that money was raised by associations of liquor dealers, for the purpose of affecting excise legislation at this session of the Legislature. Mr. Charles Loeser, President of the Wine and Spirit Traders' Society of the city of New York, frankly says, in substance, in his testimony (page 24), that money has been raised by his society for the purpose of procuring legislation favorable to the interests of liquor dealers, and that some of that money has been used in Albany for that purpose during this session of the Legislature.

Robert Mackie, treasurer of the Wine and Spirit Traders' Society, says, in effect, in his testimony (page 40), that money has been raised within the last four months and put in his hands as such treasurer, for the purpose of being used at Albany in paying expenses relative to the excise question, and with the ultimate object of passing an excise bill. But it was also claimed and testified to by both gentlemen, that the money was raised and expended only for legitimate purposes, as for printing, clerk hire, traveling expenses, etc.

As proof that improper means were resorted to, to procure a modification of the present excise law, the committee refer to the testimony of Oliver Cotter, agent for the Kings County Law and Order League (page 57). He testifies that at the time the Daly bill was before the House, a man at the Globe Hotel, in the city of Albany, offered to compensate him well if he would cease his opposition to the bill.

The committee call attention to the fact that while the resolution, under which the investigation has been conducted, states that the statement of the member from Jefferson was substantially indorsed by the member from Franklin, the exact language used by the member from Franklin was that he "was morally certain that corrupt means had been resorted to in the attempt to pass the Holahan bill." This statement, we think, the testimony proves to be true.

No evidence has been given before the committee showing, or tending to show, that the temperance societies of the State, or any one interested in the temperance cause, have furnished, used, or raised any money for the purpose of influencing excise legislation, except evidence which

shows that they have used money for printing, clerk hire, traveling expenses, etc., with the object of preventing any change in the present excise law.

GEO. L. TERRY,
HAMILTON FISH, JR.,
C. D. PRESCOTT,
JAMES G. GRAHAM,
L. B. KERN,

Dated *May* 14, 1878.

Committee.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

The Senate bill entitled "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific, and missionary societies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 79.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	KEEGAN	PATTERSON	SUTHERLAND
ALVORD	CRANDALL	KELLOGG	CICERO C. PECK	J. T. TAYLOR
ASTOR	DAY	KING	DEWITT C. PECK	TERRY
BAKER	DUELL	LANGNER	PEEK	THAIN
BATHE	FISH	LOVELAND	PIPER	THOMSON
BEARD	FLOYD-JONES	LOWING	POOL	VALENTINE
BOUCK	FLYNN	MATTISON	PRESCOTT	WAKELY
BROOKS	FOSTER	MEKEEL	REYNOLDS	WEMPLE
BRUNDAGE	GILBERT	S. V. R. MILLER	ROBERTS	WHEELER
BURNS	HAMILTON	MOOERS	ROWLAND	WILBOR
CASE	HOBBIE	NELSON	SAWYER	WILLERS
CHAPPELL	HOYT	NORTH	SEARING	WILLIAMS
CHASE	HULME	NOYES	SEWELL	WILLIS
CLANCY	HURD	PALMER	SHEARD	WINCH
CLAPP	JONES	PARKER	SHELDON	WORTH
CLARK	KEATOR	PATTENGILL	SKINNER	

For the negative,

HAVENS

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend section 8, and to further amend section 10 of chapter 739 of the Laws of 1857, entitled 'An act to authorize the formation of town insurance companies,' so far as the same may apply to the Claverack Fire Insurance Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows :

AYES 69.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	COSAD	KERN	PATTERSON	E. TAYLOR
ALVORD	CRAWFORD	KING	CICERO C. PECK	THAIN

ANDREWS	DUELL	LANGNER	DEWITT C. PECK	THOMSON
ASTOR	FISH	LOVELAND	PIPER	TOWNSLEY
BAKER	FLOYD-JONES	LOWING	PRESCOTT	VALENTINE
BATHE	FOSTER	MATTISON	PROPER	WADSWORTH
BEARD	GRAHAM	MEKEEL	REYNOLDS	WAKELY
BERGEN	HALLIDAY	S. V. R. MILLER	SAWYER	WHEELER
BERRIGAN	HAMILTON	MOLLER	SEWELL	WILBOR
BERRY	HAVENS	MOOERS	SHEARD	WILLERS
BRUNDAGE	HULME	NELSON	SHELDON	WILLIAMS
BURNS	KEATOR	NORTH	SKINNER	WINCH
CHASE	KEEGAN	PARKER	STORY	WORTH
CONVERSE	KELLOGG	PATTENGILL	SUTHERLAND	

Those who voted in the negative, were

BROOKS CURRAN

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 421 of the Laws of 1877, entitled 'An act supplemental to an act, entitled An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 77. NOES 1.

Those who voted in the affirmative, were

ABBOTT	DAY	LOVELAND	CICERO C. PECK	SUTHERLAND
ALLEN	FISH	LOWING	PEEK	E. TAYLOR
ALVORD	FLOYD-JONES	MATTISON	PIPER	J. T. TAYLOR
ANDREWS	GALVIN	MEAD	POOL	THAIN
ASTOR	GILBERT	MEKEEL	PRESCOTT	THOMSON
BAKER	HALLIDAY	J. H. MILLER	ROBERTS	TOWNSLEY
BATHE	HAMILTON	MOLLER	ROWLAND	VALENTINE
BEARD	HAVENS	MOOERS	SAWYER	WAKELY
BERRIGAN	HOBBIE	NELSON	SEARING	WEMPLE
BERRY	HOLAHAN	NORTH	SEWELL	WHEELER
BRUNDAGE	HOLBROOK	NOYES	SHEARD	WILBOR
BURNS	HURD	PALMER	SHELDON	WILLIAMS
CHASE	JONES	PARKER	SKINNER	WILLIS
CLAPP	KERN	PATTENGILL	SLITER	WINCH
CONVERSE	KING	DEWITT C. PECK	STORY	WORTH
CORMACK	LANGNER			

For the negative,

COSAD

Ordered, That the Clerk return said bill to the Senate, with a message, informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act relating to the assessment of real property in the city of Brooklyn, county of Kings, owned and occupied by charitable corporations, societies, or institutions," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 85.

NOES 1.

Those who voted in the affirmative, were

ABBOTT	CRANDALL	I. I. HAYES	MOLLER	SHELDON
ALLEN	CROWLEY	HOBBIE	MOOERS	SKINNER
ALVORD	DAY	HOLBROOK	NELSON	STORY
ANDREWS	DEYOE	HOYT	NORTH	SUTHERLAND
ASTOR	DOUGLASS	HULME	NOYES	E. TAYLOR
BATHE	DUELL	HURD	PALMER	TERRY
BEARD	FLOYD-JONES	JONES	PARKER	THOMSON
BERGEN	FLYNN	KEATOR	PATTENGILL	TOWNSLEY
BERRY	FOSTER	KERN	CICERO C. PECK	VALENTINE
BROOKS	GALVIN	KING	DEWITT C. PECK	WAKELY
BRUNDAGE	GILBERT	LANGNER	PERK	WARING
CASE	GRADY	LOVELAND	PIPER	WEMPLE
CHAPPELL	GRAHAM	LOWING	REYNOLDS	WHEELER
CHASE	GRIGGS	MATTISON	SAWYER	WILBOR
CLANCY	HALLIDAY	MEKEEL	SEARING	WILLIS
CONVERSE	HAMILTON	J. H. MILLER	SEWELL	WINCH
CORMACK	HAVENS	S. V. R. MILLER	SHEARD	WORTH

For the negative,

PRESCOTT

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Speaker offered, for the consideration of the House, a resolution in the words following :

Resolved (if the Senate concur), That the Adjutant-General be and he hereby is directed to loan the battle flags of the Sixty-fourth and One Hundred and Fifty-fourth regiments, New York State Volunteers, to the Cemetery Association of Franklinville, Cattaraugus county, N. Y., to be used on Decoration day, said flags to be returned without expense to the State.

By unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Speaker announced the following persons to remain at the close of the session, in pursuance of chapter 252 of the Laws of 1878: Reuben L. Fox, John C. Paulding, and Asa Dolen.

Also, the following appointments, pursuant to chapter 112 of the Laws of 1875, to attend at the opening of the next session :

Assistant Door-keepers—William H. Waldron, Stephen A. Smith, and Gilbert J. Dutcher.

Messengers—James H. Manville and Herman Weibezahl.

Pages—Charles L. Fosdick, Gilbert Schwarzman, John Rice, Lester L. Brightman, Edward Rouse, and Henry V. Winne.

The Senate returned the bill entitled "An act to repeal chapter 577 of the Laws of 1864, and all acts amendatory thereof," with a message that they had concurred in the passage of the same, with the following amendment :

Section 1, line 10, insert, after the word "any," the word "legal."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 80. NOES 4.

Those who voted in the affirmative, were

ABBOTT	FITZGERALD	KING	PATTERSON	SUTHERLAND
ALVORD	FLOYD-JONES	LANGNER	DEWITT C. PECK	E. TAYLOR
BEARD	FLYNN	LOVELAND	PEEK	J. T. TAYLOR
BERGEN	GILBERT	LOWING	PIPER	TERRY
BERRY	GRADY	MAPES	POOL	THAIN
BROOKS	GRAHAM	MATTISON	REYNOLDS	THOMSON
BROWNING	GRIGGS	MEAD	ROWLAND	TOWNSLEY
BRUNDAGE	HAMILTON	MEKEEL	SAWYER	VALENTINE
BURNS	HOBBIE	J. H. MILLER	SEARING	WADSWORTH
CHAPPELL	HOLBROOK	S. V. R. MILLER	SEWELL	WAKELY
CLAPP	HOYT	MOLLER	SHEARD	WARING
CLARK	HULME	MOOERS	SHELDON	WEMPLE
CORMACK	HURD	MEYENBORG	SKINNER	WHEELER
CROWLEY	JONES	NELSON	SLITER	WILBOR
DAY	KEEGAN	NORTH	STORY	WILLIS
FISH	KERN	PARKER	STRACK	WORTH

Those who voted in the negative, were

HAVENS	KEATOR	PRESCOTT	WILLERS
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in their amendment.

The Senate sent for concurrence the bill entitled as follows:

“An act to amend chapter 291 of the Laws of 1870, entitled ‘An act for the incorporation of villages,’” which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Wheeler, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 82. NOES 4.

Those who voted in the affirmative, were

ALVORD	DAY	KEEGAN	PATTENGILL	STRACK
ANDREWS	DEYOE	KERN	PATTERSON	SUTHERLAND
ASTOR	DOUGLASS	KING	CICERO C. PECK	E. TAYLOR
BERGEN	FISH	LANGNER	PIPER	TERRY
BERRY	FLOYD-JONES	LOVELAND	POOL	THAIN
BROOKS	FLYNN	MCDONOUGH	PRESCOTT	THOMSON
BRUNDAGE	FRANK	MEKEEL	PROPER	TOWNSLEY
BURNS	GRADY	J. H. MILLER	REYNOLDS	VALENTINE
CASE	GRIGGS	S. V. R. MILLER	ROBERTS	WADSWORTH
CHAPPELL	HAMILTON	MOLLER	SAWYER	WAKELY
CHASE	HAVENS	MOOERS	SEWELL	WARING
CLAPP	HEPBURN	NEILSON	SHEARD	WEMPLE
CLARK	HOBBIE	NELSON	SHELDON	WHEELER
CORMACK	HOYT	NOYES	SKINNER	WILBOR
COSAD	HULME	PALMER	SLITER	WINCH
CROWLEY	HURD	PARKER	STORY	WORTH
CURRAN	KEATOR			

Those who voted in the negative, were

HOLBROOK	MATTISON	DEWITT C. PECK	WILLERS
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate bill entitled "An act to amend chapter 907 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same so as to permit municipal corporations to aid in the construction of railroads,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 79.

NOES 3.

Those who voted in the affirmative, were

ABBOTT	CONVERSE	HOLAHAN	PARKER	SHELDON
ALLEN	CORMACK	HURD	PATTERSON	SKINNER
ALVORD	COSAD	JONES	CICERO C. PECK	SLITER
BAKER	CRAWFORD	KEATOR	DEWITT C. PECK	SUTHERLAND
BATHE	DAY	KELLOGG	PEEK	E. TAYLOR
BEARD	DEYOE	KING	PIPER	J. T. TAYLOR
BERGEN	DOUGLASS	LOVELAND	POOL	TERRY
BERRY	FISH	LOWING	PRESCOTT	THAIN
BROOKS	FLOYD-JONES	MATTISON	PROPER	THOMSON
BROWNING	FLYNN	MEAD	ROBERTS	WADSWORTH
BRUNDAGE	FOSTER	MOLLER	ROWLAND	WEMPLE
BURNS	GALVIN	MOOERS	SAWYER	WILLERS
CASE	GRADY	NEILSON	SEARING	WILLIS
CHAPPELL	HAVENS	NELSON	SEWELL	WINCH
CLANCY	HENRY	NORTH	SHANLEY	WORTH
CLARK	HOBBIE	NOYES	SHEARD	

Those who voted in the negative, were

HOYT	HULME	STORY
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

The Senate returned the following bill, with a message that they had concurred in the amendments of the Assembly thereto :

"An act to authorize corporations organized under the laws of this State to reduce their capital stock."

Ordered, That the Clerk return said bill to the Senate.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows :

"An act to amend chapter 268 of the Laws of 1875, entitled 'An act to incorporate the Western Railroad Company.'"

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to amend chapter 523, Laws of 1870, entitled 'An act to incorporate the village of New Berlin, in Chenango county, and to repeal the present charter.'"

"An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

"An act to amend chapter 477 of the Laws of 1875, entitled 'An act to amend an act entitled An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871 ;

and also an act to re-enact and amend the same, passed April 6, 1871; also to extend the distribution of Croton water through the city of New York, including the two new wards, and to lay the necessary mains therefor, and to deliver it at higher elevation,' passed May 28, 1875."

"An act for the better security of life from fire in hotels and other buildings."

"An act to amend chapter 103 of the Laws of 1877, entitled 'An act to facilitate the construction of narrow gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850."

"An act in relation to elections in the city of Albany, and to provide for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage thereat."

"An act to amend chapter 596 of the Laws of 1874, entitled 'An act to incorporate the Manhattan Mortgage Company.'"

"An act for the removal of refuse matter in the city of New York."

"An act supplemental to chapter 421 of the Laws of 1877, entitled 'An act supplemental to an act entitled An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

"An act to amend chapter 482, Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

"An act to amend chapter 833 of the Laws of 1873, entitled 'An act to regulate the fees of coroners.'"

"An act to amend title 6, chapter 1, part 4, section 2 of the Revised Statutes, entitled 'Of offenses punishable by imprisonment in a county jail and by fine.'"

"An act to facilitate the discharge of debtors imprisoned by virtue of executions in civil cases."

"An act to amend chapter 691 of the Laws of 1865, entitled 'An act to amend an act entitled An act to amend An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, and to amend an act entitled 'An act to amend an act entitled An act for the incorporation of companies to navigate the lakes and rivers,' passed April 15, 1854, passed April 15, 1861."

"An act to transfer the care and control of Bedford avenue, in the city of Brooklyn, to the park commissioners of said city."

"An act to confirm the official acts of Ralph L. Cook, as notary public of Kings county."

"An act to incorporate the Brewer Fire Company of the village of Monsey, of the county of Rockland, State of New York."

"An act supplemental to chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations.'"

"An act for the protection of life, and to prevent accidents by vessels navigating the port and harbor of New York, and waters adjacent thereto."

"An act to amend chapter 248 of the Laws of 1867, entitled 'An act to amend the act passed April 11, 1860, chapter 269, entitled An act to amend the act entitled An act to authorize the formation of corpora-

tions for manufacturing, mining, mechanical and chemical purposes,' passed February 17, 1848.'"

"An act relating to the publication of notices of sales in foreclosure in the city of New York."

"An act in relation to the publication of the Session Laws in the county of Rensselaer."

"An act to repeal chapter 74 of the Laws of 1866, entitled 'An act to create a metropolitan sanitary district and a board of health therein, for the preservation of life and health and to prevent the spread of disease, so far as it relates to the town of Newtown, Queens county, and to provide for the appointment of a board of health in said town, and defining its powers and duties.'"

"An act in addition to an act entitled 'An act relating to the Union Cemetery in the town of Bushwick, county of Kings, passed April 12, 1853.'"

"An act to authorize the electors of the town of Greenburgh, residing within the village of White Plains, to vote for commissioners of highways of the town of Greenburgh, in the county of Westchester."

"An act relative to the collection of taxes in the town of Plattsburgh, in the county of Clinton."

"An act to change the location of the court-houses and clerk's office of Richmond county by a majority vote of the board of supervisors of said county, and a vote of approval by the electors of said county."

"An act to amend chapter 75 of the Laws of 1878, entitled 'An act in relation to the bonded indebtedness of villages, cities, towns, and counties.'"

"An act to amend chapter 371 of the Laws of 1875, entitled 'An act to confirm the charters of all savings banks or institutions for savings to a uniformity of powers, rights, and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs.'"

"An act to provide for the preservation of fish in Monroe county."

"An act to amend chapter 226 of the Laws of 1849, entitled 'An act to enforce the responsibility of stockholders in certain banking corporations and associations, as prescribed by the Consitution, and to provide for the prompt payments of demands against such corporations and associations,' passed April 5, 1849."

"An act in relation to certain portions of the Chenango canal."

"An act to provide compensation for referees in certain cases."

"An act to improve Flushing avenue, Long Island City."

"An act to amend chapter 411 of the Laws of 1877, entitled 'An act to further amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

"An act to amend chapter 309 of the Laws of 1877, entitled 'An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the 1st day of October, 1877.'"

"An act to amend section 9, chapter 90 of the Laws of 1869, entitled 'An act to provide for improvement of the navigation of the Racket river and of the hydraulic power thereon, and to check freshets therein.'"

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Chappell called from the table a concurrent resolution in the words following :

“Resolved (if the Assembly concur), That William F. Allen, George H. Andrews and A. S. Thurston, be and they are hereby appointed a committee whose duty it shall be to prepare and present to the next Legislature, within thirty days after it convenes, a bill in relation to the assessment and taxation of property in this State, which shall contain provisions providing what kind or species of property shall be assessed or taxed for State purposes, and what kind or species of property shall hereafter be taxed for county and local purposes, and generally to revise and so amend the present assessment laws of the State of New York, to the end that each kind or species of property may be made to pay its proper proportion of the taxes now levied for all purposes, and to relieve and equalize property now unduly and improperly compelled to bear the burden of taxation.”

Mr. Thomson moved that said resolution be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Keegan offered, for the consideration of the House, a preamble and resolution in the words following :

Whereas, On the 8th day of March, 1878, a resolution in the words following, viz. : *“Resolved*, That E. Ham, reporter of the New York Star for the Senate, be and he is hereby excluded from the privileges of the floor of this House during the remainder of the session,” was offered in this House by Mr. Kern, of Madison, and which was adopted by this House; and

Whereas, On the same day, the correspondent mentioned in said resolution made an affidavit denying that the words attributed to him, and on which said resolution was based, were applied by him to Mr. Kern, or to any other member or Senator, which affidavit was placed on the journal of this House; therefore,

Resolved, That said resolution be and the same is hereby rescinded.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the bills entitled as follows :

“An act to amend chapter 121 of the Laws of 1878, entitled ‘An act to amend chapter 135 of the Laws of 1876, entitled An act to authorize plankroad and turnpike companies, formed under and by virtue of an act entitled An act to provide for the incorporation of companies to construct plankroads and of companies to construct turnpike roads,’ passed May 7, 1847, to extend their charter or corporate existence.”

“An act to prevent the removal of actions to the Circuit Court of the United States by foreign insurance companies.”

“An act in relation to the term of office of the clerk and assistant clerk of the board of supervisors of Kings county, and of the engineers of the county court house in said county.”

“An act amending the Code of Civil Procedure.”

“An act to incorporate the Homœopathic Medical College of the city of Buffalo.”

“An act to authorize the Attorney-General, the Superintendent of Public Works, the Superintendent of State Prisons and State Treasurer, to have official seals.”

"An act to amend chapter 436 of the Laws of 1877, entitled 'An act in relation to county treasurers.'"

"An act to amend chapter 466 of the Laws of 1877, entitled 'An act in relation to assignments of the estates of debtors for the benefit of creditors.'"

"An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and the various acts amendatory thereof, or relating to the city of Rochester.'"

"An act to legalize the acts of surrogates and officers acting as such, in granting letters of administration, and to provide for the issuing of such letters in certain cases."

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same :

"An act to confer power upon the common council of the city of New York to restore Tompkins square as a public park."

"An act to amend chapter 241 of the Laws of 1877, entitled 'An act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance.'"

"An act relating to certain of the public burdens of the various cities of the State."

"An act to release the interest of the people of the State of New York in certain real estate in the counties of Greene and Delaware to Julia E. Stewart."

"An act to facilitate the making proofs of discharge from State prison upon a trial for second offense."

"An act to amend chapter 130, Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,' and the several acts amendatory thereof."

"An act in relation to granting licenses to sell intoxicating drinks."

"An act relating to the preservation of records in the city of New York."

"An act to amend chapter 283 of the Laws of 1871, entitled 'An act to amend an act entitled An act to amend chapter 907 of the Laws of 1869, entitled An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads."

"An act to authorize the county clerk of Cattaraugus county to make and to certify to copies of the surveys and maps of the Allegany reservation as made by United States commissioners."

"An act to provide for the laying out and improvement of the public squares and places established in Fourth avenue, in the city of New York, by chapter 528 of the Laws of 1873."

"An act to amend chapter 366 of the Laws of 1877, entitled 'An act to provide for the introduction of the Stevenson traction system of towage on the Erie canal.'"

"An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof."

"An act to authorize the appointment of a clerk by the coroners of the county of Kings."

"An act to provide for the records of boards of supervisors and the preservation of the same in county clerks' offices."

"An act to amend chapter 135 of the Laws of 1860, entitled 'An act in relation to district attorneys.'"

"An act for the relief of John Hogan, and to authorize the comptroller of the city of New York to pay the amount which may be found due from said city to said Hogan, for granite furnished for a bridge in said city."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate bill entitled "An act to further amend chapter 77 of the Laws of 1870, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act to establish a capitol police district, and to provide for the government thereof,' passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows:

AYES 79.

NOES 2.

Those who voted in the affirmative, were

ABBOTT	CURRAN	KEATOR	PATTENGILL	STORY
ALLEN	DAY	KEEGAN	PATTERSON	STRACK
ALVORD	DUELL	KERN	DEWITT C. PECK	SUTHERLAND
BEARD	FISH	KING	PEEK	TERRY
BERGEN	FLOYD-JONES	LOWING	PIPER	THAIN
BERRY	FLYNN	MATTISON	PROPER	THOMSON
BOUCK	GILBERT	MEAD	REYNOLDS	TOWNSLEY
BROOKS	GRADY	MEKEEL	ROBERTS	WADSWORTH
BROWNING	HALLIDAY	J. H. MILLER	ROWLAND	WARING
BRUNDAGE	HAMILTON	S. V. R. MILLER	SAWYER	WEMPLE
CASE	HOBBIE	MOLLER	SEARING	WILBOR
CHASE	HOLAHAN	MOOERS	SEWELL	WILLIAMS
CLANCY	HOYT	MEYENBORG	SHEARD	WILLIS
CONVERSE	HULME	NELSON	SHELDON	WINCH
CORMACK	HURD	NOYES	SKINNER	WORTH
CRANDALL	JONES	PARKER	SLITER	

Those who voted in the negative, were

FOSTER LANGNER

Mr. Alvord moved that the present order of business be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Bergen in the chair.

Mr. Brooks offered, for the consideration of the House, a resolution in the words following:

Resolved, That the thanks of the Assembly be presented to the Hon. James W. Husted for the able, impartial, and courteous manner in which he has presided over the deliberations of this body.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord offered, for the consideration of the House, a resolution in the words following :

Resolved, That a committee of two be appointed to wait upon His Excellency the Governor to inform him that the Assembly has completed its business, and is ready to adjourn *sine die*.

Mr. Speaker put the question whether the House would agree to said resolution, and it was decided in the affirmative.

Mr. Speaker appointed as such committee Messrs. Alvord and Brooks.

Mr. Halliday offered, for the consideration of the House, a resolution in the words following :

Resolved, That a committee of two be appointed to wait upon the honorable the Senate, to inform that body that the Assembly has completed its business and is ready to adjourn *sine die*.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Fish and Halliday.

Messrs. Loomis and St. John, a committee on the part of the Senate, appeared in the Assembly Chamber and announced that the Senate were ready to adjourn.

Mr. Speaker in the chair.

The Senate bill entitled "An act to change the name of the American Loan Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, as follows :

AYES 86. NOES 00.

Those who voted in the affirmative, were

ABBOTT	CRAWFORD	HULME	PALMER	STORY
ALLEN	CURRAN	HURD	PARKER	STRACK
ALVORD	DEYOE	JONES	PATTENGILL	SUTHERLAND
ANDREWS	DOUGLASS	KEATOR	DEWITT C. PECK	E. TAYLOR
BEARD	DUELL	KELLOGG	PEEK	TERRY
BERGEN	FISH	KERN	PIPER	THAIN
BERRIGAN	FLOYD-JONES	KING	POOL	THOMSON
BERRY	FOSTER	LANGNER	PRESCOTT	TOWNSLEY
BOUCK	GRADY	LOVELAND	ROBERTS	VALENTINE
BROOKS	GRIGGS	MATTISON	ROWLAND	WADSWORTH
BROWNING	HAMILTON	MEAD	SAWYER	WARING
BRUNDAGE	HAVENS	J. H. MILLER	SEARING	WHEELER
CASE	HEPBURN	S. V. R. MILLER	SEEBACHER	WILBOR
CHASE	HOBBIE	MOLLER	SEWELL	WILLIAMS
CLAPP	HOLAHAN	MOOERS	SHEARD	WILLIS
CLARK	HOLBROOK	NELSON	SHELDON	WINCH
CONVERSE	HOYT	NOYES	SLITER	WORTH
COSAD				

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same.

Mr. Allen offered, for the consideration of the House, a resolution in the words following :

Resolved, That the thanks of this House be and they are hereby tendered to Edward M. Johnson for the efficient and gentlemanly manner with which he has, at all times, discharged the duties of his office as Clerk of this body. No words of mine can add to the respect and esteem which every member of this House has for its Clerk. The kindness of his nature has won the hearts of all of us.

Mr. Bergen moved to amend said resolution by adding, after the word "Clerk," the words "and his assistants."

Mr. Allen accepted said amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Grady offered, for the consideration of the House, a resolution in the words following :

Resolved, That the gentlemanly attention and untiring energy displayed by the Sergeant-at-Arms of this House, Hon. Charles A. Orr, in the discharge of the very important, onerous, and delicate duties of his position, deserve the thanks of the Assembly, and in token of our sincere appreciation of his worth, we tender to him our grateful acknowledgments of the courtesy, candor, and consideration he has displayed in his every relation to the members.

Mr. Bergen moved to amend by inserting the words "all the officers of the House."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Bergen, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Messrs. Fish and Halliday, the committee appointed to wait upon the honorable the Senate, appeared before the bar of the House and stated that they have performed that duty to the best of their ability.

Mr. Speaker resumed the chair and addressed the House in the words following :

Gentlemen of the Assembly :

The words of sacred song, in their application to the legislative history of this chamber, possess a striking significance. "The days of (its) years," since it was first dedicated to the service of the State, "are three-score years and ten." After a term of existence, exactly measured by the standard of the wisest of men, it has reached now the last day and hour of its legislative record. An occasion which marks not only the dissolution of this body, but the close of an historical association, justifies more than the ordinary passing word. No more will these walls echo the eloquence of the great men of the State. No more will they bear testimony to the advancing spirit of the age. Brief, indeed, its history has been. But what a history ! What a period of triumphs does it span ! What wondrous achievements of man ! What grand developments in science ! What mighty strides in the mechanic arts ! What intellectual, political and social enfranchisements ! Within that limited epoch every form of human labor has been lightened and alleviated. From the exception education has become the rule. The Orient and the Occident, to each other *terra incognita*, are riveted together, by links of steel, into an unbroken chain of communion. The barren wilderness blossoms like the rose. The inhospitable desert has become a mighty empire. Human genius out-rivals the advance of Time, and makes both sound and speech subservient to its will. The era of a grander, a nobler, a truer civilization dawns upon us. To meet its requirements and to respond to its demands, the legislative bodies of the world have been brought to that perfect system of procedure which obtains to-day. The New York Assembly is universally conceded to be the archetype of all the rest. Here the initiative was taken in the remodeling and harmon-

izing of the canon as of the civil and common laws. Here woman first received a separate politico-legal recognition. To the distinguished men who have preceded you, the eyes of all the rising commonwealths have, for half a century, been turned, and the organic and statute laws of New York have been the accepted models in the establishment of their own existence and organization. Here the genius of De Witt Clinton shaped, for all time to come, that wise policy of inland navigation, which has made the Erie canal the most potent factor in the problem of cheap transportation. How touching the thought that this very moment witnesses the destruction alike of the forum of his great measures and of the home which he loved so well—both passing away at the same time in this capital city! Within our very view the first steam railroad was built and operated, the forerunner of that magnificent way that binds the rock-ribbed Sierras of Nevada to the eastern and the western ocean. In fine, the history of this chamber is the history of the State; the history of the State is the history of the nation; the history of the nation is the history of the world.

Grand old Capitol! Home of grand old men—of Wright and Seward and Marcy; of Elisha Williams and John C. Spencer and Michael Hoffman! Scene of intellectual contests and of deeds as grand! To thee we pay the final tribute of our deep devotion.

“Time-honored and time-crowned by meeds of fame,
Would that our parting praises might avail,
To add new glories to your age and name.”

Gentlemen, the session has been exceptionally harmonious. The lack of questions of vital political difference will, in a great degree, account for the unity of thought and action which has marked our proceedings. Beyond this view there is, however, another—perhaps a more correct one. The Assembly of 1878 will go upon the record untarnished in its reputation, and with an honored name. Devoid of selfish and unworthy motives, it will live in memory for its social virtues, its geniality and the generosity which has always manifested itself in the intercourse of its members. I trust, as I believe, that I subject myself to no adverse criticism, when I declare my unqualified conviction that this House has sought, according to its best judgment, to do its entire duty. Questions of grave importance have here been the subjects of your careful scrutiny and investigation. The results that have ensued have been reached after a candid and careful comparison of views. Many good laws have been enacted. Some, as is ever the case, have failed. None of evil tendency or import have been engrafted on the statute book. This Assembly has been faithful to its trust. I am confident it has secured, as it has certainly deserved, the good opinion of the people. Neither its ability nor its integrity can be questioned.

In laying down the emblem of authority and power with which your partiality invested me, I sincerely commend each and every one of you to the favor of your constituents. Expressing my deep sense of obligation for many favors conferred, especially for the sentiments embodied in your resolutions, and the kind words spoken to-day, I tender to you my most sincere thanks for the uniform and never-failing courtesy and respect which I have experienced at the hands of one and all. I bear with me into private life the most delightful remembrance of this my last official act in the Legislature of the State, and shall ever treasure

up, among the pleasant memories of an active public career, the friendships formed during the days that we have sat together.

I extend to you my earnest hopes, that your future may be joyous and happy, as, with a heart overflowing with gratitude, I bid you now farewell; and, in pursuance of a joint resolution of the Legislature, declare this Assembly adjourned *sine die*.

EDWARD M. JOHNSON, *Clerk*.

ERRATA.

Page 34, after line 8, should be inserted "*Ordered*, That the Clerk transmit said resolution to the Senate, and request their concurrence therein."

Page 37, lines 4 and 5, strike out the words "are hereby further amended so as to read as follows."

Page 54, line 48, "Frederick W. Ames" should read "Fred. R. Ames."

Page 55, line 2, "Blockstone" should read "Blackstone."

Page 64, after "New Capitol Commissioners' Report," insert (See Doc. No. 16.).

Page 77, strike out the last two lines, and insert "*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have concurred in the passage of the same."

Page 95, after line 13, insert "*Ordered*, That the Clerk deliver said bill to the Governor."

Page 120, line 34, "privileges" should read "fertilizers."

Page 123, line 48, "negative" should read "affirmative."

Page 123, line 49, strike out "not."

Page 127, line 22, "Portland" should read "Cortlandt."

Page 138, line 11, "225" should read "193."

Page 161, line 29, "writs" should read "suits."

Page 230, lines 12, 13, 14 and 15, should appear at the top of the page.

Page 295, line 17, "275" should read "225."

Page 301, lines 26 and 31, "Wilbor" should read "Willers."

Page 308, line 26, "Case" should read "Brundage."

Page 330, after line 40, insert "said committee then reported said bill back to the House, as directed."

Page 336, line 25, after "appraisers" should be inserted "on claims for canal damages."

Page 402, line 34, "article" should read "section."

Page 431, line 50, after "day" insert "being 'An act to organize the Senate districts, and for the apportionment of the members of Assembly of this state.'"

Page 432, line 50, after "day" insert the same as the preceding errata.

Page 438, line 21, "Senate" should read "House."

Page 589, line 26, "co-operation" should read "co-operative."

Page 637, after line 16 insert "*Ordered*, That the Clerk return said resolutions to the Senate, requesting concurrence in first resolution, and informing of concurrence in second resolution with amendment."

Page 660, line 50, after "132" insert "being 'An act for the formation of pipe line companies.'"

Page 707, line 17, "Harris" should read "Lynde."

Page 724, line 36, add at the end "judiciary."

Page 737, line 32, "28th" should read "18th."

Page 755, line 23, "1867" should read "1876."

Page 854, line 29, "Moller" should read "Nelson."

Page 1028, line 24, "notes" should read "notices."

Page 1031, line 10, "bonds" should read "boards."

Page 1033, line 48, "Wellington" should read "Wilmington."

Page 1034, lines 5 and 6, "An act to authorize journals of boards of supervisors to be read in evidence" should read "An act in relation to evidence in civil and criminal cases."

Page 1049, line 1, add at the end "Clerk of the."

Page 1069, line 35, "830" should read "930."

Page 1080, line 41, "Barry" should read "Berry."

Page 1244, line 43, "Mullen" should read "Waller, Jr."

Page 1314, line 35, "John S. Gilbert" should read "John I. Gillert."

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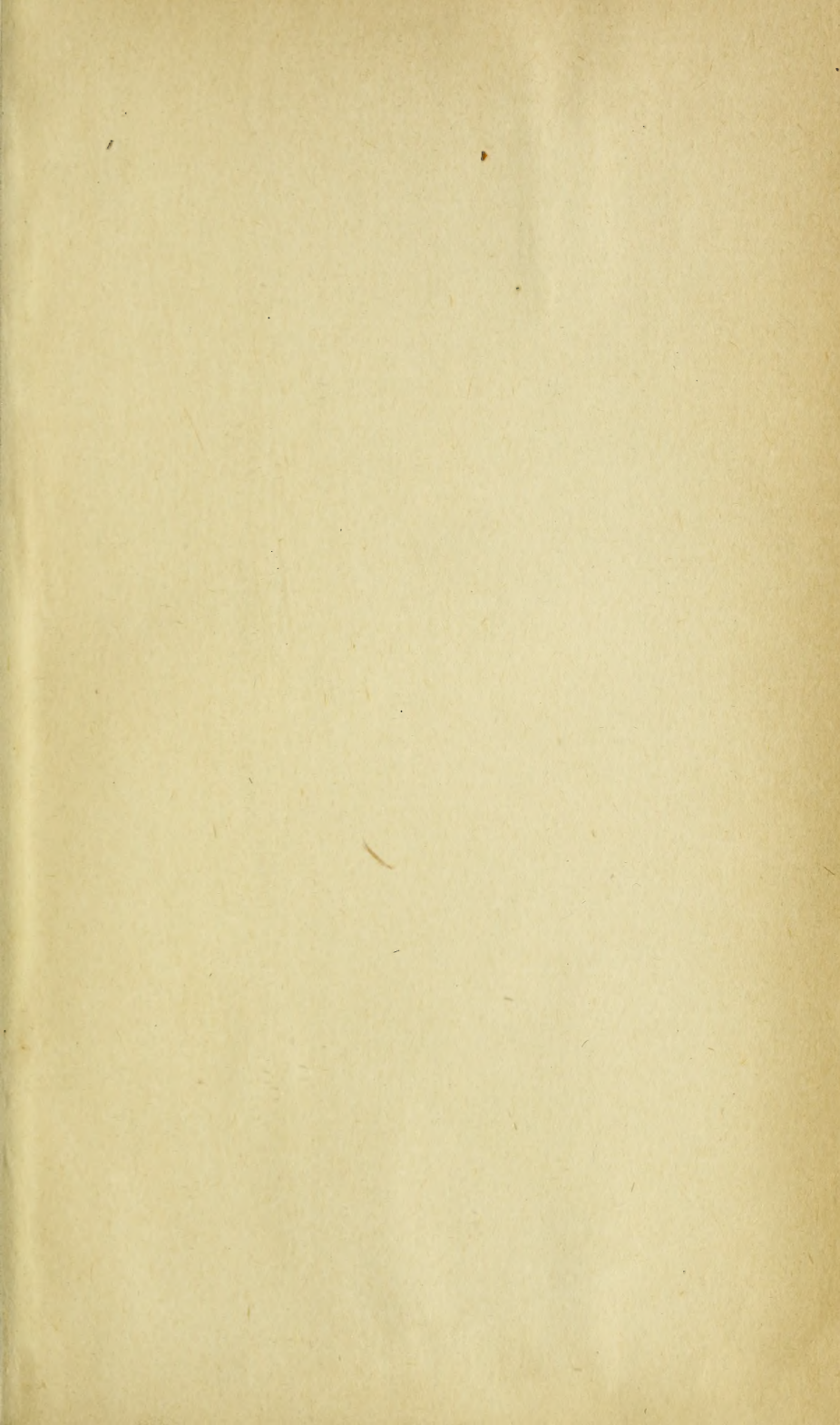
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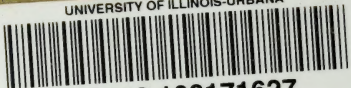
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